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DUPLIN COUNTY, N. C.

...URSUANT to authority vested in me by vir... tue of a deed of trust, executed by Speight ...ill. I shall, on the 13th day of August, 1870, ...n the premises, offer for sale to the highest bid...er, that valuable tract of Land near Faison's ...epot, known as the "Rhodes Place," contain...g 562 acres. This tract of Land is situated in ...ne of the best cotton growing sections of North ...arolina, and is considered very superior Lands, ...well adapted to the growth of cotton, &c., &c.— ...ake the chance for a bargain. ...Terms of sale—One-half of the purchase money ...ash months, the balance at the end of twelve ...onths; to be secured by note with approved ...curities. Title retained until the whole of the ...urchase money is paid. A. G. MOSELEY, Trustee. ...ly 8 22-wts

...G. Nickerson, Idg, N. Y, Barry Bro's
...W. Clyde, Sherwood, Idg, N. Y, do
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...Berry Lee, Barrett, dis, Harriss & Howell
...Geo. Vangnilder, dis do
...Jno. Jones, Idg N Y,

STATE NEWS.

...Greensboro' Female College buildings ...e to be rebuilt.

...The Wadesboro' *Argus* learns that the ...rn of Mr. Smith, near Marks, creek, ...chmond county, was struck a few days ...o by lightning, and burned down.

...The same paper is informed that the ...ilroad bridge across the Pee Dee will be ...mpleted before the middle of August.

...One Lieutenant McNim, alias Lieut. and ...t. Geo. B. Jennings, alias ——— Rogers, ...s been swindling around extensively.—...e was last at Hookerton, where he fig...red as an agent of the Freedmen's Sav...gs Bank. Look out for all such.

...The Caswell Prisoners.—From a re...rt in the Hillsboro' *Recorder* we extract ...e names of the following gentlemen, ...ized and now held by Kirk in the Court ...ouse at Yanceyville: Dr. N. M. Roan, ...on. John Kerr, Robert Roane, Dr. A. G. ...ancey, Yancey Jones, Capt. A. A. Mitch...l, J. M. Neal, Sheriff J. C. Griffith, F. ...Wiley, W. B. Bowe, Bazley Graves, ...on. S. P. Hill, T. J. Womack; and in ...ddition to these the following were ar...sted on Tuesday: Joe Fowler, Jim Wil...nson and Johnnie McKee, a little boy ...nine years of age.

...Habeas Corpus.—The *habeas corpus* case ...as argued before His Honor, Chief ...stice Pearson, again to-day, by B. F. ...oore, Esq., for the petitioners, and Mr. ...dger for the Executive. These ad...esses occupied the time up to 1 o'clock, ...hen the matter was continued for further ...earing to-morrow, when ex-Gov. Bragg ...ill make an appeal in favor of law and ...berty.

...In the meantime the Governor's unlaw...l mob continues to make arrests and ...altreat their prisoners, and insult and ...ighten women and children. Well, ...when things come to the worst they are

Wilmington Journal.

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RATES OF ADVERTISING

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certain to mend," is the old adage, and in the present contingency, affords some consolation.

We hope, hereafter, to be able to lay the substance of the arguments of counsel in this case, before our readers; we are not able to do so at present.—*Raleigh Sentinel Monday Evening.*

A Memorial Association is to be organized in Wilson.

Peaches $2 per bushel in Tarboro' and scarce at that.

The early and late corn is said to be remarkably promising throughout the State.

Four interments in one hour, in the Raleigh Cemetery, last Thursday. Healthy place!

Brogden, Radical candidate for Congress from the Second District, is afraid to meet the Conservatives on the stump.

Judge Tom Settle, it is said, is one of the instigators of Holden's military tyranny.

Mr. Henry Malone, of Caswell county, cultivated 9,000 hills of tobacco on two acres of land, and sold the crop in Danville, Va., for $700.

The *Messenger* says: The crops on the South side of Neuse river, with the exception of all the river lands, are most promising.

Col. L. W. Humphrey, Conservative candidate for Congress from the Second District, is at home, sick, but Wm. Robinson, Esq., of Goldsboro', and John F. Wooten, Esq., of Kinston, are canvassing for him.

Yesterday there was a meeting of the Stockholders of the Raleigh and Gaston Railroad Company at the Company's office in this city. Dr. W. J. Hawkins, Geo. W. Mordecai, Col. S. S. Royster, J. B. Batchelor, A. M. McPheeters, Col. Geo. Little and Col. Walter Clark were elected Directors. Dr. Hawkins and Mr. Mordecai were unanimously elected, receiving 5,468 votes.—Raleigh *Standard.*

If the accounts from North Carolina are true, that State is suffering more from the State militia than she did at any time during the war. It seems badly credible that such outrages should be permitted in a peaceful State when peace is general throughout the country, and we feel inclined to take the report with a considerable grain of allowance. Should the accounts be true, however, the interference of the General Government is needed. N. Y. *Herald.*

The Goldsboro' *News* learns that an attempt has been made to establish a Ku-Klux Klan in Goldsboro', *by the Radicals.* a gentleman by the name of W. L. Weston, of Winston, Granville county, having been approached for that purpose by *three white Republicans, one of them a Goldsboro' official.* The *Messenger* refrains from giving the names, promising to refer to the matter hereafter. We say to the *Messenger,* make the hereafter, at once, investigate the matter thoroughly, publish the names, and let the Courts see that justice is done, if they will.

A Card.—I learn that it has been reported on the streets in Raleigh that I had been liberated from my confinement by Col. Kirk because I had given information as to crimes committed in Alamance involving the guilt of other parties. I take this method of correcting this report. I have neither given nor promised to give any such information and possess none such that I could communicate. I was liberated upon no such grounds, but upon giving a bond for my appearance and keeping the peace prescribed by military authority. James E. Boyd.

July 20th, 1870.—Raleigh *Sentinel.*

Now and Then.—While Col. Mallett, during the late war, commanded some fifteen or twenty thousand conscripts, many of them applied to Judge Pearson for relief by writ of *habeas corpus,* declaring that they were illegally held by military rule.

On one occasion Col. Mallett omitted to return an answer to Judge Pearson why he held a citizen who had sued out a writ of *habeas corpus* before him. The Judge was furious, and without hearing argument, issued an attachment against Col. Mallett for contempt. Col. Mallett had to appear, which he did, stating he had no intention of committing a contempt, and gave his excuse why he had not answered. Having thus purged himself of contempt, he was released from the attachment.

On Saturday, 16th inst., Judge Pearson issued a writ, ordering Kirk to have before him the body of Adolphus G. Moore, who petitioned for a writ of *habeas corpus.* On Sunday, 17th, Kirk received the order of the Judge, and sent as an answer, that he should not obey the order, and that "such things had played out," and that he was acting, in this, under the order of the Governor.

This is Thursday, 21st, 2 o'clock, and Judge Pearson has been *hearing counsel* argue the case for over three days, and now, at the end of the argument, adjourns the case to take "one and probably two days to consider what he will do!"

In the meantime Mr. Moore (and those similarly outraged) has been kidnapped and dragged across the country from Alamance to Caswell, where he is held a prisoner, subject to all the inconvenience and insult that may be heaped upon him by Kirk and his men.

Judge Kerr and fifteen other good and respectable citizens of Caswell county, are now imprisoned with Mr. Moore and the others from Alamance, and no one of them has seen the legal warrant or knows the reason for his arrest.

There is not a Judge on the English Bench who, if so insolently defied, would have hesitated a moment to sustain the dignity of the law as embodied in his office and person, by issuing an immediate attachment against the party, and even leading the *posse,* if necessary, to bring him to account. And we should regard any Judge a curse to any country who would not do so.

We think we know why Judge Pearson hesitates in this matter. He will ultimately give the order to attach Kirk and have Mr. Moore and the others before him—we are sure of it—he can't do otherwise. The great wonder is, that he should have hesitated at all, or delayed a moment in letting the people see and know that their main and almost only hope of safety was not withdrawn from them, and the majesty of the law and the constitution vindicated. Raleigh *Sentinel.*

Gov. Holden issues a proclamation in the *Standard* offering $200 reward for the arrest of Benjamin Lassiter, charged with killing a boy names Alex. Croom, both colored, and both of Lenoir county.

Bushy Head, Chief of the Cherokee Indians, passed Weldon, on Thursday, going South from Washington.

The McLean Fire Company, of Fayetteville, celebrated their Fourth Anniversary, by a shooting match, on last Thursday.

The *Eagle* of Wednesday last, reached us last night, which is three days from Fayetteville to Wilmington.

The Conservatives of Northampton county meet to-morrow for the purpose of nominating a full Conservative ticket.

The Building Committee of the R. & T. R. Agricultural Association are going energetically to work in the preparation of the fair grounds. Col. Fremont, the Superintendent of the Wilmington road and the President of the Cape Fear Agricultural Association, visited the grounds yesterday evening in company with the Committee, with a view of locating a turnout at that point.—Roanoke *News.*

For the Journal.

From Sampson County—Our Gallant Murphy and Troy—Sampson for Waddell—Dockery on the Stump—His Political Trickery, &c., &c.

Mr. Editor:—The campaign is waxing warm in old Sampson, and we look forward to another victory at the coming election, such as our friends abroad will be proud of. The candidates of the Conservative party fight manfully and give to their friends entire satisfaction, nay, we are proud of their ability and integrity.

We have a division in the Sheriff's election, from which Col. Dockery, the mammoth Radical and Brigadier General of Holden's militia, hopes to make a gain for himself and his party in old Sampson.—But the Brigadier was never as much mistaken in his life. All the candidates for Sheriff are and have been Conservative; they openly avow it on the stump, practice it in private, and although the cowardly Radicals are endeavoring by insidious attempts to divide the Conservative party, yet they must and will fail. The issue now is (and they can't dodge it) "shall the bright bayonet triumph over the rusty Constitution." This expression, if original, should immortalize my old and now distressed friend, George W. Pegram, of Harnet county. Our Commoner, James R. Maxwell, Esq., is doing yeoman service for the Conservative cause. Makes a neat, short speech, a plain practical man of good sense, but a working man, whose efforts will tell for the cause.

Dr. C. T. Murphy, whose yeoman efforts in the last Legislature, made me, as a Sampson man, feel proud of him as our Representative. Although some slanders have been circulated against him about measures brought up before the Legislature with which he had nothing to do, and for which he was in no way responsible, he meets them on the stump like an honest man and placed himself beyond the reach of the slander. One Mr. Ward, a Radical, brings the charge against him, but the Doctor comes back on him and the Radical cowers before the Doctor's well-directed, severe, yet merited rebuke and flat contradiction. Like an honest and able and fearless man he courts investigation, and showed that the charges are prompted by a misunderstanding of the truth or by malice. He is a good man, a worthy representative and an honor to his county.

W. C. Troy, our honored candidate for the Senate from Cumberland, is indeed the right man in the right place. Modest and unassuming, yet chock full of nerve, good sense and patriotism, he has made a lasting impression upon the people of good old Sampson. With a look that seems to say, "I beg your pardon if I hurt your feelings," he does say some of the sharpest things, make more home thrusts and sting his opponents nearer to the quick than any man I have heard speak for a long time. He demoralized the candidate Ward so much that I really believe that he (Ward) would be very glad to shake off the ugly Porter and get his Radical friends to vote for Troy and Ward. Long may Troy wave, for he is a trump in a campaign. With his modest air he says he is not a talking man, but a working man. But here he is wrong, and has no right thus to deceive the people, for his speeches flatly contradict his modest assertion and fully prove that he can not only work, but that he can likewise talk and talk well.

When we elect him (which we will as surely do as the August election comes) we feel that we will be as proud of him as our Senator as we are now of him as our candidate.

We regret that our respected candidate for Congress, Col. Alfred M. Waddell, could not be with us while the Brigadier was in Sampson. Our people are pleased with the nomination of Col. Waddell, and bid him God speed on his road to Congress. He will have the hearty support of all the Conservatives of Sampson, instead of the Brigadier, who flatters himself that he will gain by any dissension among us. If we have our private quarrels, we can assure the Brigadier that he can in no way come between us, nor shall he profit by them. The people of Sampson have no confidence in any man who will seek to make a false impression about his opponent in his absence.

Col. D. injured himself by attempting to leave the impression that Col. Waddell was in favor of qualified suffrage at this time. He was told flat-footed that was not honest when he made the assertion, and that he knew differently. The question was put to him as an honest man and he was asked for an honest answer: "Do you believe that Col. Waddell is in favor of qualified suffrages." He dodged like a demagogue; he failed to answer. By the bye, the Brigadier's looks and manner on the stump impress one with the thought that he has the coolness of an Icelander, the lungs of a donkey and the impudence of the Devil. Trained in all the arts of a demagogue; schooled in deceit and political trickery with his bland manner, he can well be said to be "as mild a mannered man as ever scuttled a political ship or cut a political throat," for with a "face formed to conceal" he can "hide his bloodless soul's hardened scheming" as well as any political trickster who now struts the stage of this corrupt Congressional theatre.

In Col. Waddell we have a man to whom we could point with pride as our representative, dignified and manly in his bearing, the gentleman in social converse or on the hustings, we can appeal to the voters of our land to come forward and once more let this good old district have a fitting representative. The brigadier was met in Sampson by her son, Col. A. A. McKoy, who congratulated himself that he had, from the canvass of 1868, wrought upon the Brigadier until he now made a tolerable Conservative speech. Cohary.

For the Journal.

THE BIG HOUSE ON THE HILL.

A LEGEND OF WILMINGTON IN THE OLDEN TIME.

In rummaging over an old desk, covered with dust and cobwebs, I stumbled upon a package of letters that had lain there undisturbed and forgotten for I know not how many years. They are lying on the table before me while I write, and as I gaze upon the writing, dim with age and almost illegible, the memories of other days are clustering around my heart and dimming my eyes with moisture. Scenes long passed—events obscured by time, come back upon my mind in all their former brightness, and I almost fancy that the inanimate paper before me is gazing wistfully in my face, and whispering in my ear of the days that are past and the friends long since departed.

The impressions made upon the mind in our youthful days are always the most vivid and enduring. It is true that in the daily pursuits of life—in the jarring conflicts of adverse elements—in the heated struggle for success—these early impressions are for a time obscured or forgotten, but they are never lost. As we advance in years and success crowns our exertions when we reach the summit of that hill which was the goal of our ambition, and begin our descent to that unknown land, from whose "bourne no traveler returns," our thoughts fly backward to the scenes of our youth and the present and the future are forgotten in the sweet memories of the past. At such a time incidents the most trivial will excite memories and emotions to which we had long been strangers. A withered leaf, a strip of faded ribbon that bound perhaps the ringlets of a loved and lost one, a line traced by a hand long mouldered into dust, "a little word in kindness spoken, a motion or a tear"—will evoke recollections that genius cannot trace or inspiration fathom.

As I cast my eye over the faded and venerable leaves of these old-time letters, filled with expressions of esteem from those who have long, long since departed, memory flies back to the time when the event which I am about to relate occurred, and busy fancy peoples again the scene with the friends of my youthful days. The friends of my youth—where are they? I call, but they answer not. I send my voice into the wide world, but no responsive echo is returned. I move among the busy throng that crowd the streets, and gaze wistfully at those that jostle and hurry past, but no familiar face looks up, no friendly hand grasps mine in warm affection. I am alone in the crowd. Around me and about me, on every side, the young and the gay are hurrying on with joyous steps and happy hearts, as if there were no cares or sorrows in the world, but that all was one continued sunshine of happiness and joy.

It is a most desolate thing to feel that you are an intruder in the land of your fathers—to outlive your generation—and to see strangers in the places rendered dear to you by the associations and hallowed by the recollections of the past. Of the friends of my youth there is not one that now remains to lighten the few remaining days of my pilgrimage here with words of kindness and affection. They are gone, and their memories are all that is left me; other generations have sprung up, and they are forgotten. Such is life. We toil from day to day to add to our possessions; we hurry onward, regardless of the wants or sufferings of those around us, so long as they do not interfere with our own desires and aspirations; and when the prize for which we have so long labored, and coveted, and sinned, is in our grasp, we die, and then—a few days pass, and our very name is scarcely mentioned.

But enough of these sombre reflections. I sat down to mention a little incident that occurred many years ago, in the "Big House on the Hill," as it was called in those days, and which the sight of these letters had brought vividly to my mind, for the writers of these letters were the principal actors in the incident I am about to relate.

Many years ago, toward the southern extremity of the town, and, indeed, at the time it was built, entirely out of the corporate limits of the town, upon a high and almost barren sand hill, near the corner of Ann and Third streets, stood the great house of the city, or as it was generally called, the "Big House on the Hill." It was built in the finest style, and all that taste or fancy could suggest, or wealth procure, was lavished in its construction. A thick shrubbery almost concealed the front of the building, while on each side extending entirely around the house, flowers bloomed and blossomed, filling the air with richest perfume. It was the abode of wealth and refinement, and open, generous hospitality.

At the time of which I speak it was occupied by an English gentleman of the name of Wilburn, who carried on quite an extensive business with the old country, and was reputed to be very wealthy. He was a widower with an only child, a daughter, sweet Julia Wilburn—though the frosts of eighty winters are upon my head, how plainly as it were but yesterday, do I see you now. She could not be called beautiful, for there was something about the mouth, I know not what, that gave to her countenance an air somewhat of gravity. Her eyes were black, and when animated, they sparkled and danced like twinkling stars. Her forehead was full and projected a little, indicating genius of a high order, and her hair, which was a dark brown, fell in luxuriant ringlets around her neck and shoulders in beautiful contrast with the dazzling whiteness of her complexion.

Young, witty and accomplished suitors for her hand were numerous. Among others who worshiped at her shrine, were the rich Mr. Edwards, some ten years her senior, and a youth named Walter Sanders, a distant relative or connection, by marriage. They called each other cousin, and it is wonderful how often this cousinly affection ripens into love, and like a flickering light, oftimes leads through devious ways and labyrinthian paths, until at length it bursts in the full blaze of Hymen's torch.

Edwards had large possessions in houses, lands and bonds and was regarded as the Nabob of the place. He had but few friends, however, for his character was not one to excite esteem or regard in the minds of those around him. Shrewd, calculating, unscrupulous, he had amassed a fortune by means sometimes most questionable. Unfeeling and avaricious, the cardinal principle of his life appeared to be to carry out in every way Iago's advice to Roderigo, "to put money in his purse." It was his God and he was as greedy after a shilling, even when he had thousands at his command, as though he was on the verge of starvation. It was said of him by those who knew him well, that he would chase the ghost of a sixpence even into h—l, but what he would secure it.

Walter was an orphan, had left England where his uncle resided, and on whom he was dependent, and had arrived in Wilmington a few months previous to the opening of my story, on a visit to a relation, a prominent and respected member of the legal profession. He was a genial fellow, always amiable, with a smile and a kind word for every one, liberal in his expenditures, and never so happy as when doing something for others. He was, of course, a general favorite; the old esteemed him for his good qualities of head and heart, and the young loved him dearly, because he joined in all their youthful sports with as much hilarity as the youngest of them all.

Though intending to remain but a short time, weeks had passed, and months, and still he lingered. He had met Julia Wilburn; her dark eye had looked into his, and he was fascinated. He loved—loved with all the fervor, the madness of youth. In their moonlight walks he had whispered softly in her ear, and she had answered, had told her of his hopes, his expectations, his love, and she had placed her hand in his and laid her head upon his heart.

"But my father, Walter—his consent must be obtained, and though I see no reason why he should object, still I know not why, but I almost dread the idea of informing him."

"I will see him this very evening, my sweet one, or would it not be best to go to him at once?"

"Perhaps it would," said Julia; "though he has always been a kind and indulgent parent, I have lately observed a great change in his manner. He is absent and abstracted, and instead of remaining at home as much as he was wont to do, spends nearly all his time at his office. He seems, too, to be on terms of intimacy with Mr. Edwards, who, for aught I know, may be an honorable man, but whose association I dislike, nay, almost dread."

"Fear nothing, my dear Julia," said Walter; "doubtless your father's anxiety and abstractedness arises from some business transactions—a speculation in which he, and perhaps Edwards also, are deeply interested. But let us go to him."

Mr. Wilburn was sitting in an easy chair in the front room of his mansion. On a table near him lay a pile of letters open, while upon the floor a quantity of newspapers were scattered in every direction. His hands were clasped tightly together, his head bowed upon his bosom, and the ashy paleness of his face betokened some powerful and terrible emotion.

"Can it be?" he groaned, "Am I a bankrupt—a beggar? Is this the result of years of toil, of sleepless nights and days of anguish? All gone in a moment, and when about to pluck the fruit for which I have so long labored, and which I thought I had at last secured, it has turned to ashes in my grasp, and like an *ignis fatuus* has but lured me into ruin. And Edwards; he holds my bond for a large amount; how repay him? My sweet child, too, my darling Julia, nurtured in luxury, to be thrown upon the cold charity of the world! Oh, God! Oh, God!" And the strong man bowed down in agony and wept bitterly.

The door opened, and Julia and Walter stood before him. Recovering his composure by a powerful effort, he advanced to meet them, and, embracing his daughter, shook Walter kindly by the hand, and enquired after the health of his uncle, and when he had last heard from him.

"Not for months, replied Walter; I am unable to account for his long silence, and begin to feel some degree of anxiety about him. Has there been a late arrival, he added, glancing at the letters on the table. "Yes, the ship Caroline arrived this afternoon," replied Mr. Wilburn. Then, doubtless, said Walter, she brings me some tidings from home. My good, kind uncle, how happy will I be to hear of your continued health, "Mr. Wilburn, he added," I have called this evening upon a matter most vital to my happiness. I have long loved your daughter, and to day she has blessed me with the assurance that my affection is returned. My uncle, whose sole heir I am, and who loves me as a son, possesses large estates; are you willing to trust your daughter's happiness with me? All that a true and loving heart can accomplish to gild her pathway through life, will be my first and last, and only thought—to make her happy—the chief object of my existence.

"Young man," said Mr. Wilburn, "place no reliance upon expectations. They are but poor security at best, and oftentimes excite hopes which end in bitter disappointments. They are quicksands, which too frequently engulf the unwary and confiding. I know you, however, Walter," he added kindly, "and there is no one to whose care and affection I would more willingly trust the happiness of my child. But it is my duty to say to you that information received this day from Europe leaves no doubt of my utter and complete ruin. I have embarked in speculations most hazardous, but which promised immense returns. They have failed, and all that I possess will not, I am afraid, be sufficient to meet my losses. You say you love my daughter. Think you that your love will undergo no change when, instead of the heiress of the rich merchant, you wed the daughter of the bankrupt Wilburn?"

"What is wealth," exclaimed Walter, "broad lands or large possessions, in comparison to the love of my own sweet Julia. As I have already told you, sir, my uncle has large estates—my means will be most ample; but should my hopes and expectations prove false, and I be compelled to daily toil for daily bread, my own dear Julia will cheer me on and lighten every labor,—will nerve my arm and give fresh strength to struggle with the world." What say you, Julia? His arm encircled her waist—her head rested upon his shoulder—and as he gazed upon her upturned face, beaming with affection—he read his answer there.

The next morning, while Julia was busily engaged with her father arranging his papers, Walter burst suddenly into the room in great excitement, holding an open letter in his hand.

"I have this moment received this," said he, handing it to Julia. "It is from my uncle's Solicitor. The old man is ill, and from his advanced age I fear his recovery is doubtful. He requires my presence. A ship leaves this very day, within an hour, and though the separation is most terrible, still I must go to him; must leave you for a time, but will soon return, and then"—stooping down he whispered something in her ear, and she hid her blushes in his encircling arms.

"I would not detain you one moment, Walter, from the sick-bed of your kind uncle," said Julia, looking up, "and God grant that you may arrive in time to receive his blessing. But this sudden departure overpowers me. Oh, how I dread your leaving; how lonely and desolate all things will seem while you are gone."

"Cheer up, my sweet one, the happiness of meeting again will more than repay the bitterness of our present separation. I will hurry back at the earliest possible moment, to claim the fulfillment of your promise. Time presses," he added, "and I must away;" one long embrace, and he was gone.

Walter arrived in time to pay the last sad duties to his uncle, and arranging his large estates as expeditiously as possible, set out on his return. He had written to Julia, informing her of the day he should sail, and when his arrival might be expected, but weeks passed, and months, and no Walter came. At last the news that the vessel in which he had sailed had been found abandoned; no clue to the fate of any who were on board, and then hope gave way to despair. And Julia—her young affections crushed in their opening bloom; her hopes blasted and destroyed; the lustre from her eye had fled; the bloom had left her cheek, but still in her distress she was most beautiful. She moved about, the shadow of her former self, for "hope deferred had made the heart sick," still, however believing, still hoping that Walter would return. "The ship may have foundered; some may have been lost, but not her Walter. Oh, no, that were impossible—he would surely come back, for had he not promised."

Time, which regards neither joys or sorrows, passed on. A year had elapsed since Walter sailed on his return, and all hope of his safety had vanished.

One evening in the month of March, as Julia was sitting alone in the front room of the mansion, absorbed in the bitter recollections of the past, her father entered hurriedly and seemed to be laboring under great excitement. Fearing she knew not what, she sprang to meet him. "My father, what has disturbed you, speak; has any tidings been heard of Walter?" "None, my poor child, none," said Mr. Wilburne, as he gazed mournfully upon her. "What, then, is the matter, and why do you gaze so upon me." Sit near me, Julia, and listen.

When misfortune overtook me in the mad speculations in which I engaged, I still hoped that I had sufficient to meet my losses. For months past I have been busily engaged in settling up my business, and upon a careful examination of my books I find that if all my possessions were sold this day they would not cover more than half my indebtedness. My largest creditor is Mr. Edwards; you know him, if I mistake not, and he was once an unsuccessful suitor for your hand. He holds my bond for money advanced to carry on my operations. He came to me this day and spoke of you; said that he had always loved you, and asked your hand in marriage. What say you, my child? Our poor Walter is no more—my failing health warns me that I must soon follow him. Edwards has wealth—has houses, lands and large possessions. Can you love him? Will you consent to be his wife?

"Father," said Julia, springing from her seat, "I am the affianced bride of Walter Sanders. In sickness and in health, in poverty or riches, I vowed to be his, and only his. That vow is registered on high; that vow I will not violate."

"Julia," said her father, "if you refuse this offer Edwards will demand his bond. He has me in his power, and will not scruple to exercise it. We shall be thrust from our home, my person seized, and you left desolate and alone."

"Say not so, my own dear father, I will toil my fingers to the bone—will give no rest to my limbs, or slumber to my eyelids, until his debt be paid. Better poverty, and an honest heart, than princely halls, and splendid misery. Twice within the present month has this man annoyed me with his proposals; my heart lies buried in my Walter's grave, and sooner than link myself with this man whom I loathe—come poverty—come toil—yea, if need be, starvation with all its attendant horrors."

"Spoken like my own true child," exclaimed her father, folding her in his arms. "I did but try thee. Let him do his worst; with honest industry, and a firm reliance upon that Providence who never fails to succour in time of need, we yet shall prosper. I will carry him your answer to-morrow; meanwhile make preparations for our removal, for we must seek a more humble abode. And now, good night, and my blessing with you."

The following evening, Julia, fatigued with the labors of the day (for she had been busily engaged preparing for their removal) had seated herself by the fire awaiting her father's return. The shades of evening had deepened into night,—the rain fell in torrents, and the cold March wind whistled and howled around the house, as if exulting in her misery. A feeling of utter loneliness and desolation, almost insupportable came over her. She feared she knew not what—a vague sense of some impending evil oppressed and bewildered her. She fancied there were voices in the wind as it shrieked at the casements as if endeavoring to force an entrance.

While these thoughts were pressing through her mind, a knock at the door sent the blood curdling to her heart, and as she sprang from her chair, the knob turned and Edwards stepped into the room. Recovering her composure almost immediately, she said,

"May I ask what brings Mr. Edwards here on such a night as this?"

"Yourself, fair Julia, he replied. I would brave all dangers for one assurance of affection from those sweet lips."

"No more sir, I will hear no more.—Scorn less no word, contempt no language in which to speak my loathing of your character. Twice have you had my answer to your proposals, and you but heap insult upon insult by thus forcing yourself upon my privacy. Let me pass sir."

"Stay and hear me," exclaimed Edwards, stung by her remarks. "I have long loved you; this world is a blank to me without your presence. Your father is in my power; consent to be mine, and I release him from his obligations. Every luxury that wealth can purchase shall be yours—your slightest thought or wish be gratified ere the desire be expressed.—What say you?" There was a wild glare in his eye that startled and alarmed her.

"Let me pass sir;" and she moved towards the door. "My father will soon be here and—"

"Nay my pretty Julia, you leave not this room without my escort," he exclaimed, seizing her by the arm.

"Unhand me, sir," she exclaimed, as she struggled violently to release herself. "What means this outrage?"

"It means this," he hissed in her ear. "Twice have I been scorned by you, twice have my offers been spurned with contempt. Now know, proud beauty, that you are in my power. Your father is in jail—dost hear, in jail. There shall he rot till the utmost farthing of my bond be paid. We are alone, and there are none to hear your cries for help. I have you in my grasp—mine you are at last—and no power on earth can now thwart my purpose."

The turbulent and stormy elements of sin and desire were aroused almost to madness within him. His hot breath was upon her cheek, and his eye flashed with a light unnatural and fiendish.

With a cry for help that could be heard above the roaring of the tempest, she broke from his grasp, and rushed towards the door, but ere she reached it a powerful blow from without hurled it from its hinges, and a well known form bounded into the room and caught her in his arms as she feel fainting to the floor.

Edwards stayed not to ascertain who the intruder was, but dashing through one of the windows, plunged headlong to the ground, and disappeared in the darkness.

My story is soon ended. Walter, for it was he, had been saved and taken from the wreck by a vessel bound to a foreign port. He had been months upon the ocean; had but just arrived that night, and was hurrying up, despite the tempest, when the well-known voice of Julia, in her cry for help, reached his ear.

What more need be told. How that Mr. Wilburn was released that night from jail; how Edwards never was again seen, and the people wondered whether he would return to claim his property, which, by the way, he never did; how sweetly Julia looked in her bridal robes, with the bloom once more upon her cheek, and the love-light in her eye. Are not all these, and more to be found in old, musty volumes of the "Cape Fear Recorder?"

I was at the wedding, and a grand affair it was—the eye feasted upon the beauty of Wilmington there assembled, and the inner man rejoiced with the bountiful supply of good things that were scattered profusely around. All were anxious to take Walter by the hand, and as he passed through the crowded rooms with his bride upon his arm, and a kind word for each and all, I almost envied the dog his happiness.

Walter and his bride, after a sojourn here of a few months, returned to England.—Mr. Wilburn accompanied them, where they enjoyed as much happiness as generally falls to the lot of poor frail mortality in this world of trouble and of sorrow.

The old house has entirely disappeared; its very foundations turned up to make room for a new and more imposing edifice, while around it, on every side, the evidences of a progressive age are plainly visible.

When wearied with the cares and troubles of life—perhaps soured by the alienation of friends who basked in the sunshine of our prosperity, but passed by on the other side when the hour of adversity came—when those who were recipients of many acts of kindness which should have been most gratefully remembered, because so cheerfully and unselfishly bestowed, fall away like leaves at the chill blasts of Winter, without a word of sympathy or condolence, and the heart feels heavy and the head hot—at such a time the scenes of our youth and the memories of other days come vividly before us to lighten the gloom with the bright recollections of the past. They at least are our own, and can never be taken from us. I have stood in the presence of the learned and the great—have attended many a bridal service where jewels flashed and glittered in the "soft light of alabaster lamps"—have seen beauty arrayed in costliest silks and richest velvets and brocade—and yet amid all these displays, I think more frequently and more pleasantly of the simple taste—the beauty unadorned—the genial, hearty welcome that characterized, oh, so many years ago—that joyous wedding at the "Big House on the Hill."

A Mad Dog in a Drawing-room.

Mr. J. J. Daley, of the firm of Daley & Boaz, booksellers and stationers, was severely and painfully bitten by a mad dog on the 10th instant, at his residence on Pine street between Ewing and Garrison avenues. The rabid animal rushed into the house from the street, and by its wild demeanor caused a panic among the maid servants. It found its way into the drawing-room, and Mr. Daley, being informed by the girls of its whereabout, proceeded with a broom in his hand to drive it out. It unfortunately happened that the brute was in a place where the gentleman did not perceive it, and it suddenly jumped on him, biting him on the leg. A terrible struggle then ensued between Mr. Daley and the dog. The drawing-room table, glasses, and ornaments, were knocked into a heap, Mr. Daley invariably falling among them. In the melee the mad dog seized a cat which was in the room, and bit it severely. Further disaster was prevented by the timely arrival of a policeman, who killed both the cat and the dog. Mr. Daley was found to have been badly bitten, and medical aid was immediately sent for. Dr. Boisliniere and another physician attended the wounded gentleman and treated him with the utmost care.—The lacerated portion of the leg was cut out and cauterized, and the patient is now doing as well as can be expected. The encounter with the dog was a most exciting and desperate struggle, and will never be forgotten by those who witnessed it.—St. Louis *Republican.*

The New York *Commercial* tries to be very severe upon Louis Napoleon. Here is its language altered to suit its own case:

"Our contempt changes into horror when we think of the awful arbitrament to which self-manufactured injuries tend. Beyound the Potomac, where fields of waving grain await the reaper's scythe; by the banks of the noble river where the farmer labors on the plains of Virginia, rich with the products that may never be harvested; through the lovely valleys, now so tranquil, where the patient husbandman gathers the fruits of his industry, and up and down those fertile fields these hypocrites will lead fierce squadrons to scenes of carnage and

THE WILMINGTON JOURNAL

WILMINGTON, N. C.

FRIDAY, JULY 29, 1870.

FOR ATTORNEY GENERAL:
WILLIAM M. SHIPP,
OF MECKLENBURG.

SECOND DISTRICT:
FOR THE 42D CONGRESS:
L. W. HUMPHREY,
OF WAYNE.

THIRD DISTRICT:
FOR THE 42D CONGRESS:
A. M. WADDELL,
OF NEW HANOVER.

SECOND DISTRICT:
FOR THE 41ST CONGRESS:
C. J. O'HAGAN,
OF PITT.

Brig. Gen. Dockery.

We learn from a private letter that this redoubtable officer spoke at Whiteville, in Columbus county, on Saturday last, and that he denounced Holden's militia and the extravagance of his party in unmeasured terms.

If the conduct of Colonel Kirk does not suit his military superior—Gen. Dockery—he should take more active measures to restrain him than the making of speeches at such remote points.

When he again visits Wilmington we shall see whether the "Gen." denounces Gov. Holden and his party in such "unmeasured terms" as he did at Whiteville.

Col. Waddell.

A letter from a friend at Lumberton informs us that Col. Waddell met the enemy at that place on last Saturday and the valliant "Brig, Gen'l" has never yet received a more severe excoriation than was administered to him on that occasion.—Waddell gave up his own appointment at Wadesboro' for the purpose of meeting Dockery at Lumberton, and will henceforth follow him around on his canvass—an attention that Dockery will probably appreciate very highly. This we think a wise thing on Col. Waddell's part, as Dockery will bear watching. There are a few idiosyncrasies of his that sometimes lead him into misrepresentations of others and these are more plainly apparent,—as has been proven by actual experiment,—when Col. Waddell is away than when he is present.

Robeson county will do her duty, if no extraneous influences are brought to bear. Our friends there are confident of two hundred majority for Waddell and Shipp.

Proceedings in Habeas Corpus.

In order that our readers, who are not familiar with legal proceedings, may be better able to understand the questions involved in the contest before Chief Justice Pearson, for the release of the parties arrested by Kirk and his men, we publish upon our first page the law pertaining to proceedings upon writs of *Habeas Corpus*.

With the plain letter of the law before them, our readers can see for themselves what a high-handed outrage Governor Holden has committed upon the rights of the people. The power to punish Governor Holden for this flagrant violation of the constitution and laws he has sworn to support, rests in the hands of the people, whose liberties he has wantonly attacked. Let them send to the next Legislature men who will have the nerve and the justice to impeach the usurper for his crimes and drive him from the office he now holds. Upon impeachment and conviction before the Senate, his power will be at an end.

This a question far above party. Let all good citizens, all law abiding men, however much they may differ in other things, agree in the purpose to vote for no man for the Legislature who does not favor the impeachment of Holden.

The Last Outrage—Kirk's Men Invade Virginia.

Not content with their outrages in North Carolina, Kirk's men have gone beyond her limits and committed an act, that if done in Europe, and not promptly disavowed, would at once bring on open war.

The following telegram explains itself:

RICHMOND, July 22.—A telegram from Danville, Virginia, says last night a party of Colonel Kirk's North Carolina colored State troops entered that place, and seized and carried off Randolph Gunn, who had fled there from North Carolina, for refuge.

The invasion of the State of Virginia by the Militia of North Carolina, is an insult of so grave a character, that nothing but the amplest apology and the promptest disavowal can atone for it. We are very much mistaken in the character of the man, if Governor WALKER does not require Governor Holden to restore Mr. Gunn unharmed to Virginia soil, just as England required the United States to restore to her protection MESSRS. MASON and SLIDELL during the late war.

The Federal Constitution provides that when any person charged in any State with crime shall flee from justice and be found in another State, he shall on demand of the Executive authority of the State from which he fled be delivered up to be removed to the State having jurisdiction of the crime; but it nowhere gives the right to the Governor of one State to send a band of armed men into another State to make arrests by their own authority for any cause.

Unless this act be promptly atoned for it will doubtless lead to the gravest complications between the two States. Whether Governor Holden will defy Governor WALKER as he has done Chief Justice PEARSON remains to be seen.

Whether Governor WALKER will be content to vindicate the insulted honor of his State by saying that the law is on his side, but that he has only moral power wherewith to execute it, remains also to be seen. The infatuation of Governor Holden is so great that no man can predict with any certainty what course he will pursue. We trust that this crowning proof of the reckless disregard of law and of right will satisfy the Northern people of the purpose of Governor Holden and of the true character of the men whom he employs to accomplish it.

Judge Pearson's Decision.

We lay before our readers this morning the opinion of Chief Justice Pearson, in the case of Adolphus G. Moore, now in custody of Col. Kirk, and the petitioner for the writ of *Habeas Corpus* to enquire into the legality of his imprisonment.

We have given to this opinion all the consideration the importance of the question demands. We brought to its consideration a strong hope and an earnest desire to find it of such a character that we could give it our unqualified approbation. Our hopes are, however, so far from being justified that we can scarcely find fitting language in which to express our views concerning the course of the Chief Justice, and yet preserve the deference in word and act that we always desire to maintain toward the Judiciary of the land.

Chief Justice Pearson decides that the writ of *Habeas Corpus* has not been suspended in Alamance and Caswell by the Governor's proclamations of a state of insurrection in those counties, and that it cannot be suspended so long as the Constitution is the Supreme law, and that the Governor has no power to disobey the writ of *Habeas Corpus* or to order the trial of any citizen otherwise than by jury, according to the laws of the land.

In spite of this, however, and in spite of the insolent refusal of Col. Kirk to obey the writ, Chief Justice Pearson declines to grant an attachment against him, on the ground that there was sufficient excuse for the refusal, in the fact that he was acting under the orders of his military superior, the Governor. The insolence accompanying the refusal he passes by as "the flippant language of a rude soldier" and in the nature of the "surplusage," we suppose, referred to by the learned Judge in the case *Ex parte*, Moore and others. The Chief Justice says: "So we have this case. Col. Kirk is commanded by the Chief Justice to produce the body. He is ordered by his Commander-in-Chief not to obey the writ. What was the man to do. He elected to obey his orders. In my opinion there was sufficient excuse for refusing to return the writ. The motion is not allowed." Now be it remembered that the Chief Justice has just decided that the Governor could not disobey the writ of *Habeas Corpus*. The order, then, to Col. Kirk to disobey it was an illegal order; the act of disobeying was an illegal act. The order of the Chief Justice to produce the body was, however, a legal order and the act of obedience in making a return thereto would have been a legal act. It follows, therefore, according to Judge Pearson, that Col. Kirk had a right to make his election between a legal act and an illegal one, and that his election to do an illegal thing was a justification, or at least a "sufficient excuse" for failing to do a legal act made imperative upon him by the order of the Chief Justice of the highest judicial tribunal in the State. Comment is unnecessary.

The Chief Justice says he does not feel it to be his duty "to leave grave matters and turn aside to put a rule on a rude soldier to show cause for making a flippant speech." That Kirk is a "rude soldier" we were fully prepared to believe before we had this official judicial declaration. That the insolent message sent by the officer of the Court to the Chief Justice, announcing that the great writ of *Habeas Corpus* was played out is only "flippant language" we cannot admit. We sincerely trust that His Honor, Judge Mitchell, whose writs Kirk tore in pieces and whose officer he imprisoned, will not so far follow judicial precedent and "the reason of the thing" as to consider Kirk's last performance as simply the rough jest of a rude soldier. If the Chief Justice be right, however, in treating Kirk's message that the writ had played out merely as a "flippant speech," we do not feel sure that Judge Mitchell will not be justified in considering the destruction of his writs and the imprisonment of his officers simply as a bit of playful pleasantry. We trust, however, that His Honor, Judge Mitchell, will not have so great an aversion to "turning from grave matters," and that for a while he will disport himself in "the gladsome light of jurisprudence," as Lord Coke hath it, and take a little healthful recreation in "ruling up" this rude soldier, so fond of flippant speeches and rough jests, and teach him the reverence due to the law of the land. The Chief Justice says of the motion for an attachment, "the evidence upon which it rests comes in a questionable shape, extraneous matter put into an affidavit of service to excite prejudice." We presume that the Chief Justice has no intention to reflect upon the character of the gentleman who served the writ on Kirk and who made the affidavit.—Whether this be his intention or not is a matter of no import, however, for the character of Col. ALEXANDER C. MCALISTER for truth, for integrity, for intelligence, for courage, for honor, for conscientious devotion to duty in every relation of life is far beyond and far above any danger from any assault from Richmond M. Pearson, open or covert.

Having refused to punish Kirk for his insolence, the Chief Justice grants a precept to bring the prisoner before him, without, however, granting authority to summon the *posse comitatus* and directs the precept, not to the Sheriff of Caswell county, but to the Marshal of the Supreme Court, who is to execute it by simply serving it on the Governor.

The reason assigned for not directing the precept to the Sheriff of the county is that it would bring on war, because of Col. Kirk's anticipated resistance.

The refusal to allow the use of the power of the county is based upon the ground that the men who constitute this power of the county are *insurgents*. As the insurrection there is "a novel kind of insurrection," and "unlike other insurrections," and as these "insurgents" are nevertheless citizens who are not divested of their constitutional rights or relieved of their constitutional obligations, the objection has little force. The Chief Justice also says:

"Again; every able-bodied man in the State belongs to the militia. The Governor is by the constitution "Commander in Chief of the militia of the State," Art. III, Sec. 8. So the power of the county is composed of men who are under the command of the Governor; shall those men be required to violate, with force, the orders of their Commander in Chief, and do battle with his other forces that are already in the field? In short, the whole physical power of the State is by the constitution under the control of the Governor; the Judiciary has only a moral power; by the theory of the constitution there can be no conflict between these two branches of the Government."

Unfortunately for this position of the learned Chief Justice, the constitution does not bear him out in the assertion that every able bodied man in the State belongs to the Militia, but subjects to Militia duty only those who are between the ages of twenty-one and forty years of age. As a *posse* composed of men under twenty-one and over forty years of age, and not belonging to the Militia or liable to the Governor's orders can, in point of fact, be obtained, the last objection also falls to the ground.

The practical result of this gigantic farce is, in reality, to sustain Gov. Holden; to give to him the substance and to the people of North Carolina the shadow, and Gov. Holden so understands it, as appears from the following telegram:

"NORTH CAROLINA.—The following dispatch explains itself. Governor Holden has command of the position in North Carolina, and is now sustained by the President of the United States and by the Chief Justice of his own State:

"*Raleigh, N. C.*, July 23, 1870.—To John W. Forney, editor of the Chronicle: Habeas corpus case just decided. Chief Justice Pearson substantially sustains the State government and refuses to interfere. W. W. HOLDEN,
"Chairman State Republican Ex. Com."

Judge Pearson has considered the case as if he and Governor Holden were the only parties thereto. He has unquestionably placed the Governor in the wrong upon the record; but he has unquestionably, also, sacrificed the poor men who are now languishing in prison. Had authority been given to summon the power of the county to take these prisoners from the hands of Kirk, Gov. Holden would not have dared to resist.

With an opportunity to gain for himself an immortality of fame, Chief Justice Pearson has preferred so to act as to damn himself to everlasting infamy. Instead of transmitting his name to the end of time with that of the great MANSFIELD freighted with the blessings of each succeeding generation, he has preferred to share with a JEFFRIES their curses and execrations.

Sampson County Ku-Klux.

In a recent article in the Raleigh *Standard*, recounting a number of alleged outrages, says:

And a colored man, who was on the streets of Raleigh yesterday, was recently most inhumanly scourged in the county of Sampson *for his political opinions.*"

Now for the facts. This negro is known in Sampson as William Scott, and has the appearance of being a half Indian. He said in different conversations that he came from Duplin, Northampton and Wake. He was a total stranger in Sampson. On Monday morning he remarked to a negro that it would not be long before there would not be a chicken left to crow in Sampson, as he intended to have Kirk and his men there. That night Scott was whipped, as described in the following affidavit, by negroes who did not know him, for no offence, but as they swear, in accordance with the orders of a secret League. These parties were all Radicals.

Scott left immediately, without making complaint, having passed through Clinton, the county seat, on the day Brig. Gen. Dockery spoke, on his way to the railroad.

A colored man, Samuel Crumpler, afterwards told some gentlemen that he thought it was his duty to tell them of the plot to get Kirk's men into the county, by representing that Scott had been Ku-Kluxed, when in fact it had all been made up by the negroes themselves. A State's warrant was immediately issued against the parties to the affidavit and three others. The latter, however, escaped and have not since been heard from. It may be well to state, as indicative of the good feeling between the races in Sampson, and the respect shown to the law, that these parties were arrested by one white man and several negroes, and guarded and taken to jail by the latter.

When brought before the Magistrate the parties made affidavits to the facts therein contained, and by the time they get the Governor to send "Kirk's men" to Sampson, we suppose the other three will be captured and be lodged in jail, ready to be taken to Yanceyville for military trial.

This is a true and simple statement of the *Standard's* Sampson Ku-Klux horror, and shows the real foundation of much of the evidence upon which Governor Holden orders his military to imprison the leading citizens of the State. Can it be true that Kirk has a number of trained East Tennessee emissaries to make work for him?

The affidavit is as follows:

STATE OF NORTH CAROLINA, } SAMPSON COUNTY. }

A copy of the Evidence before J. E. Barden, J. P., in Clinton.

Wash Howard being sworn, testifies: That Virgil Crumpler, colored, is the highest officer of a society or secret organization, and known amongst us as General. He, Virgil Crumpler, swore such persons as he wanted as members.—The oath is this, or as nearly this as I can remember: "To keep all things secret, and if a member tells anything, he is to be killed." Virgil Crumpler swore the members to do any and everything he should order them to do through Thomas Sutler, the Captain. To kill a man or men, to burn houses or anything that he, Virgil Crumpler, should order. The members to this secret organization is, Virgil Crumpler, General; Thomas Sutler, Captain; Wash Howard, Smith Herring, Marsh Howard, Lewis Howard, Lou Owens, Charley Crumpler, Wm Herring, Thad. Newman, Jim Cooper, Green Underwood, Gale Royal, all colored. I have been a member of this secret organization about three weeks. Virgil Crumpler administered the oath to me, holding up my right hand. The meetings of this organization were held at Virgil Crumpler's house, on Matthew Faison's land, in Sampson county, State of North Carolina. Meetings were held some two or three times a week. On Monday night, the 18th of July, 1870, I, Wash Howard, with Thad. Newman, Jim Cooper, Marsh Howard and Lewis Howard, all colored, went to the house of Tony White, colored, in the county of Sampson, and State of North Carolina, and took therefrom a colored man who called himself Scott A. Litcher, and carried him about a quarter of a mile from Tony White's house, where Marsh Howard whipped him, the said Scott striking him some eight or ten licks with a little whip. Lewis Howard, colored, was present with a shot gun; his face concealed and hidden with a covering of cloth. After Scott was whipped a gun was fired off, pretended to be fired at said Scott. Think that Lewis Howard fired the gun. Do not know what Scott was whipped for; thought it was orders from Virgil Crumpler, the General. Several of the members of this society go armed, with shot guns and pistols.

Sworn and subscribed to before me, J. E. Barden, a Justice of the Peace for Sampson county, at my office in Clinton, this the 25th day of July, 1870.

his
WASH ⋈ HOWARD.
mark.

(Signed) J. E. BARDEN, J. P.

STATE OF NORTH CAROLINA, } SAMPSON COUNTY. }

Thad Newman and Jim Cooper, colored, sworn, testifies: That the facts set forth in the foregoing affidavit are true to the best of my knowledge and belief, except that Thad Newman has not yet taken the oath.

Sworn and subscribed to before me, a Justice of the Peace for Sampson county, at my office in Clinton, this, the 25th day of July, 1870.

(Signed) his
J. E. BARDEN, J. P. THAD ⋈ NEWMAN, mark.
JAMES COOPER.

Columbus County.

Colonel ROBERT STRANGE and Major J. A. ENGELHARD will address the citizens of Columbus county at Whiteville on Saturday, July 30th.

Judge R. R. Heath.

Our former fellow-citizen and distinguished jurist, Hon. ROBERT REED HEATH, of Memphis, Tenn., was honored with the degree of LL. D. at the recent commencement of Dartmouth College, Hanover, N. H. An honor was never more worthily bestowed.

Gov. Holden's Response.

We publish elsewhere the letter of Governor Holden to Chief Justice Pearson declining to obey the order for the surrender of A. G. Moore, the petitioner for the writ of *Habeas Corpus*, now in custody of Col. Kirk.

The letter is respectful, indeed, almost affectionate in its tone, and indicates very kindly relations between the Chief Justice and the Governor, and as the latter quotes at large from the opinion of the former to justify his refusal to grant the friendly request to release poor Moore, we presume the little misunderstanding between these two august personages will be settled without any greater regard for the rules of the Code of Honor than they have exhibited for those of the Code of Civil Procedure, and that they will "live together like brothers," even though they may not be "unwarped by party rage."

Seriously speaking, we think there can be no doubt as to the friendly understanding during this whole farce between Governor Holden and Chief Justice Pearson. "Order reigns in Warsaw."

Invasion of Virginia.

The Norfolk *Virginian*, in speaking of Kirk's Virginia invasion, says:

We have telegraphic information that Kirk has had the audacity to make an armed invasion of Virginia, and seized the person of Rudolphus Gunn, in the town of Danville. How the ruffian succeeded in this and made good his escape we are at a loss to conjecture; but, accepting the fact as stated, we call on the Goverucr to vindicate the rights and honor of the State.

Let him force the President of the United States to meet the issue, and in a personal interview bring him to a recognition of the fact that the weight of his name and office are used as to sanction these arbitrary and intolerable outrages.

We should deplore to see the quiet of the Commonwealth broken. We trust that every peaceful means will be resorted to for the protection of our honor and jurisdiction; but, if these fail, we sincerely trust that the next time Kirk or his marauders cross our frontier they will be met with the welcome which Tom Corwin desired to see extended to the American troops by the Mexicans.

In the meantime we call on the Governor to meet the question thus thrust upon us, and to meet it before the President, whether he be in Washington or at Long Branch.

Duty of Conservatives.

To-day week the people of North Carolina will be called upon to vote. Upon the result of that election the direction of the civil affairs of the State for the next two years will greatly depend. In view of the short-comings and misgovernment of the party in power, and especially in view of the terrible condition in which the State is now, it is the imperative duty of every good and law-abiding citizen of North Carolina to vote. If we stand aloof we cannot at least escape the consequences of our indifference, should it succeed in defeating the friends of law and order, reform and economy. We are all embarked in one boat, and must prosper or suffer through the competency and honesty, or the incompetency and dishonesty of those who have charge of the vessel.

There can be no possible excuse for any to remain from the polls. No want of a local ticket; no indifference to the individuals who may be the nominees; no disappointments; no business; nothing but imperative necessity can justify any man for not casting his vote on next Thursday. If we can by any means forget the past; forget how we have been plundered and robbed; how oppressively we have been taxed, and how much we must yet be taxed to meet the indebtedness and the ordinary and extraordinary expenses of the State; if we can forget our ruined hopes; our destroyed credit; our almost hopeless future, certainly we cannot forget the warfare which Holden is waging against our fellow-citizens; we cannot forget the blood-thirsty scoundrels he is employing to accomplish his diabolical work; surely we cannot forget such gentlemen as Judge KERR, and Hon. S. P. HILL, and DR. ROAN, and HENDERSON SCOTT, and the other good and true men who are lying in jail at the mercy of Kirk and Holden, imprisoned without warrant, and will doubtless be tried without jury. Is there a man in North Carolina so craven-hearted as to turn a deaf ear to the appeals which come to him from within the prison walls of Yanceyville?

Vote for Judge SHIPP if no other candidate is offered for your suffrage. It is now more than ever important that the next Attorney General of the State should be a true, able and honest man; one who will vindicate the majesty of the law. By all means let every friend of law and order, of civil government, go to the polls and vote for Judge SHIPP for Attorney General. What though the Conservatives of Halifax, Edgecombe and Warren may have no local tickets in the field, and those of New Hanover have but a partial one, they have as important a duty to perform as those in counties where their party is in the ascendancy. New Hanover, except Wake, has the largest Conservative vote of any county in the State, and though in a minority, her twenty-five hundred Conservatives have it in their power to elect Judge SHIPP if they will turn out and unite with the eighteen hundred Conservatives of Halifax, the sixteen hundred of Edgecombe and the twelve hundred of Warren, regardless of the result of their county elections. Let the people of those counties, and Craven and Richmond and Bladen, and others do their whole duty, and we believe we can promise that the people of the State will elect such a Legislature as will repay us for our efforts in behalf of Judge SHIPP.

The crisis is upon us and we must meet it squarely in the face. We cannot avert it if we would. Let us meet it, then, like men—like freemen—like North Carolinians.

For the Journal.

The Onslow Railroad.

Messrs. Editors:—In your paper of the 6th instant, I find in the editorial columns an article giving an account of the Railroad Meeting at Jacksonville, on the 4th instant, which intimated that I was "unwittingly led to make an attack upon the merchants of Wilmington."

I regret that my remarks were so construed. I certainly did not intend to make any statement which would reflect upon the well established reputation of the business men of Wilmington. I made no charges against them, but I did speak freely against Wilmington as a market solely for the people of Onslow.

I stated that it was due to the merchants of Wilmington, and so informed the people of Onslow, that I was aided by them while in the General Assembly, to promote as far as possible, the interest of my constituents, as a trading people, and the city of Wilmington as a market. They used their influence to the repealing of laws which operated against the people of the country and to the detriment of Wilmington.

In my remarks I did allude to the Steamer that Wilmington promised to the people of Onslow some time ago, in case they would raise five thousand dollars towards the purchase of said Steamer. The amount, I am reliably informed, was raised, but the Steamer did not make its appearance. I made this statement not with the view to detract one iota from the reliability and sincerity of the merchants of Wilmington, but to prove that men are prone to start undertakings which, in the impoverished condition of the country, they are unable to carry out. And further, Mr. Editor, I was assured by some of the Commission Merchants that Wilmington would aid the Onslow Branch of the W. & W. R. R. A prominent Railroad gentleman, from whose store of experience in Railroad matters facts and figures were obtained in favor of the coast line, promised me aid in the way of opening books and soliciting stock to the Onslow Branch of the W. & W. R. R.

I said nothing to the people of Onslow about Wilmington but what I am willing to reiterate. When I showed Wilmington to be subject to more costs and expense than Newbern, the people of Onslow only heard what they knew before. The only difference between me and the New Hanover delegation was the least expensive and most expeditious route to get to market. I favored a route which would give the people of Onslow the advantages of competing markets. The New Hanover delegation proposed to run a line direct to the city of Wilmington which would only give an outlet there.

As to the answer I gave Col. Fremont, when asked if I would oppose the coast route last winter, I call upon my colleague, Dr. Armstrong, of Duplin, to state in your columns. I make these statements in defence of myself, as the people of Onslow were informed by me that aid might be expected from the city of Wilmington in building the Onslow Branch of the W. & W. R. R., before the other route was brought to their notice. And I yet trust that the merchants and business men of Wilmington will lend a helping hand to the road for which so liberal a charter has been granted. Respectfully,

J. C. MCMILLAN.

July 14th, 1870.

The publication of this letter was unavoidably delayed.

For the Journal.
JULY 25, 1870.

Messrs. Editors: At a short notice a portion of the citizens of Holden township assembled at Burgaw Depot on Saturday, the 23d instant, and organized a meeting by calling Dr. R. Sanders to the chair and requesting R. N. Bloodworth to act as Secretary.

The Chairman explained the object of the meeting to be for the purpose of appointing a committee to urge upon the people the necessity of registering and going out to the election.

On motion of Dr. Ennett the Chairman appointed a committee of five to take this matter in hand, and to use every exertion and facility to have a full turn out the day of election.

The following were the committee appointed, viz: W. T. Bannerman, S. P. Hand, J. H. Durham, Geo. F. Jordan and Dr. W. T. Ennett.

On motion of Maj. Hines the Chairman was added to the committee.

There being no further business before the meeting, Major Hines was called upon for a speech, and came forward and entertained his hearers for nearly an hour in his usual earnest way of speaking, vindicating the Conservative cause and urging upon the people the necessity of electing good men—men who could be trusted and would take a pride in battling for right, justice and the welfare of North Carolina. Such men were to be found in the persons of Shipp, Waddell and McClammy. At the close of Maj. Hines' remarks, calls were made for Dr. Ennett, who came forward and addressed the meeting in a stirring and very impressive speech for an hour. He told the people that he was no candidate for office, but had never failed to contribute his mite towards the advancement of his party when called upon, and it was with pleasure that he would speak to them and advise them with regard to their interest as in common with the interests of all true North Carolinians. He appealed to the colored people and implored them to look to their interests; that their interests were identified with the interests of the whole people, and to come out to the election and vote for the principles of Conservatism, which would secure them the enjoyment and privileges of American citizens. That taxation must be reduced, the government must be administered on a more economical plan, reckless extravagance and open dishonesty must be checked, and that virtue must again rule the councils of State. All this can be accomplished by going out to the election and casting your votes for Shipp, Waddell and McClammy. The ballot-box is the place to redeem good old North Carolina from disgrace and infamy.

These speeches were both in order and to the point, and judging from the applause, took well with both the colored and whites, and were no doubt the means of strengthening the Conservative cause.

R. T. SANDERS, Chairman.
R. N. BLOODWORTH, Secretary.

ONSLOW COUNTY.—The following is the full Conservative ticket for Onslow county, with the exception of County Surveyor, the candidate for which has not yet been announced:

For the Senate—Col. Wm. A. Allen.

For House of Representatives—James G. Scott.

For County Treasurer—Simon B. Taylor.

For Register of Deeds—Z. M. Costin.

For County Commissioners—Christopher Stephens, Jere. Spicer, Daniel Russell, Jas. Bryant, Charles Garick.

For Coroner—Thomas J. Jarman.

For Sheriff—Frank. Thompson.

From the Raleigh Standard.

The Governor and the Chief Justice.

EXECUTIVE DEPARTMENT, } RALEIGH, July 26, 1870. }

TO THE HONORABLE R. M. PEARSON,
Chief Justice of the Supreme Court of North Carolina:

SIR:—I have had the honor to receive, by the hands of the Marshal of the Supreme Court, a copy of your Opinion in the matter of A. G. Moore; and the Marshal has informed me of the writ in his hands for the body of said Moore, now in the custody of my subordinate officer, Col. George W. Kirk.

I have declared the counties of Alamance and Caswell in a state of insurrection, and have taken military possession of them. This your Honor admits I had the power to do "under the Constitution and laws." And not only this, "but to do *all* things necessary to suppress the insurrection," including the power to "arrest all *suspected* persons" in the above mentioned counties.

Your Honor has thought proper also to declare that the citizens of the Counties of Alamance and Caswell are *insurgents*, as the result of the Constitutional and lawful action of the Executive and that, therefore, you will not issue the writ for the production of the body of Moore to any of the men of the said counties; that "the *posse comitatus* must come from the county where the writ is to be executed," and that any other means would be illegal.

I have official and reliable information that in the counties above named, during the last twelve months, not less than one hundred persons, "in the peace of God and the State" have been taken from their homes and scourged, mainly if not entirely on account of their political opinions; that eight murders have been committed, including that of a State Senator, on the same account; that another State Senator has been compelled from fear for his life, to make his escape to a distant State. I have reason to believe that the governments of the said counties have been mainly if not entirely in the hands of men who belong to the Ku-Klux Klan, whose members have perpetrated the atrocities referred to; and that the county governments have not merely omitted to ferret out and bring to justice those of this Klan who have thus violated the law, but that they actually shielded them from arrest and punishment. The State judicial power in the said counties, though in the hands of energetic, learned and upright men, has not been able to bring criminals to justice; indeed, it is my opinion, based on facts, that have come to my knowledge, that the life of the Judge, whose duty it is to ride the circuit to which the said counties belong, has not been safe, on account of the hatred entertained towards him by the Klan referred to, because of his wish and purpose to bring said criminals to justice. For be it known to your Honor that there is a widespread and formidable secret organization in this State, partly political and partly social in its objects; that this organization is known, first, as "*The Constitutional Union Guard*"—secondly, as "*The White Brotherhood*,"—thirdly, as "*The Invisible Empire*;"—that the members of this organization are united by oaths which ignore or repudiate the ordinary oaths or obligations that rest upon all other citizens to respect the laws and to uphold the government; that these oaths inculcate hatred by the white against the colored people of the State; that the members of this Klan are irreconcilably hostile to the great principle of political and civil equality, on which the government of this State has been reconstructed; that these Klans meet in secret, in disguise, with arms, in uniform of a certain kind intended to conceal their persons and their horses, and to terrify those whom they assault or among whom they move; that they hold their camps in secret places, and decree judgment against their peaceable fellow-citizens, from mere intimidation to scourgings, mutilations and murder, and that certain persons of the Klan are deputed to execute these judgments; that when the members of this Klan are arrested for violations of law, it is most difficult to obtain bills of indictment against them, and still more difficult to convict them, first, because some of the members or their sympathizers are almost always on the grand and petit juries, and secondly, because witnesses who are members or sympathizers unblushingly commit perjury to screen their confederates and associates in crime; that this Klan, thus constituted and having in view the objects referred to, is very powerful in at least twenty-five counties of the State, and has had absolute control for the last twelve months of the counties of Alamance and Caswell.

Under these circumstances I would have been recreant to duty and faithless to my oath, if I had not exercised the power in the several counties which your Honor has been pleased to say I have exercised Constitutionally and lawfully; especially as, since October, 1868, I have repeatedly, by proclamations and by letters, invoked public opinion to repress these evils, and warned criminals and offenders against the laws of the fate that must in the end overtake them, if under the auspices of the Klan referred to, they should persist in their course.

I beg to assure your Honor that no one subscribes more thoroughly than I do to the great principles of *habeas corpus* and trial by jury. Except in extreme cases, in which beyond all question "the safety of the State is the supreme law," these privileges of *habeas corpus* and trial by jury should be maintained.

I have already declared that, in my judgment, your Honor and all the other civil and judicial authorities are unable *at this time* to deal with the insurgents. The civil and the military are alike Constitutional powers; the civil to protect life and property when it can, and the military only when the former has failed. As the Chief Executive I seek to restore, not to subvert the judicial power. Your Honor has done your duty, and in perfect harmony with you I seek to do mine.

It is not I nor the military power that has supplanted the civil authority; that has been done by the insurrection in the counties referred to.—I do not see how I can restore the civil authority until I "suppress the insurrection," which your Honor declares I have the power to do; and I do not see how I can surrender the insurgents to the civil authority until that authority is restored. It would be a mockery in me to declare that the civil authority was unable to protect the citizens against the insurgents, and then turn the insurgents over to the civil authority. My oath to support the Constitution makes it imperative on me to "suppress the insurrection" and restore the civil authority in the counties referred to, and this I must do. In doing this I renew to your Honor expressions of my profound respect for the civil authority, and my earnest wish that this authority may soon be restored to every county and neighborhood in the State.

I have the honor to be, with great respect,
Your ob't serv't,

W. W. HOLDEN,
Governor.

A Judicial Dogberry.

We have read the opinion of Chief Justice Pearson, in the *habeas corpus* cases which have been brought before him as a consequence of Holden's high-handed measures. It is easy to see that the Judge is one of HOLDEN'S sympathizers. He excuses Holden, excuses Kirk who is Holden's tool, and then excuses himself for excusing them. Nevertheless, with a great show of independence, he decides that whilst Governor Holden is the sole judge as to whether the counties declared by him to be in insurrection are in that condition, the Governor has no power to suspend the writ of *habeas corpus*. Naturally the reader will suppose that such being law, Kirk was fined and imprisoned for refusing to obey Judge Pearson's writ. But not so. The Judge says Kirk was equally bound to obey both his and Holden's orders, and as he elected to obey Holden's, Kirk is excusable! Next the reader will infer that he ordered out the *posse comitatus* to enforce his writ. Not at all. He says the *posse comitatus* and the militia are one and the same thing—that the only *posse comitatus* which he has the power to call out in these cases is that of the very counties which Holden declares to be in insurrection, and that it would never do to summon a posse of such men, all of whom are already, as militiamen, under the orders of the Governor, if they would only obey these orders! Finally, he concludes as follows:

"The writ will be directed to the marshal of the Supreme Court, with instructions to exhibit it and a copy of this opinion to his Excellency the Governor. If he orders the petitioner to be delivered to the marshal, well; if not, following the example of Chief Justice Taney, in Merriman's case (Annual Cyclopœdia for the year 1861, page 555), I have discharged my duty, the power of the judiciary is exhausted, and the responsibility must rest on the Executive."

See, now, Dogberry's instructions to his watch:

"*Dogberry*: You shall comprehend all vagrom men. You are to bid any man stand in the prince's name.

"*Second Watch*: How if he will not stand?

"*Dogberry*: Why, then, take no note of him, but let him go; and presently call the rest of the watch together, and thank God you are rid of a knave."—Richmond *Dispatch*.

LATEST NEWS BY TELEGRAPH.

HOLDEN'S WAR.

The Governor Can't See the Moral Suasion of the Chief Justice—Citizens to be Tried by Military Commission, &c.

RALEIGH, July 26.

Governor Holden refuses to surrender to Chief Justice Pearson the citizens of Alamance county, arrested and now detained by Kirk, through his orders. His refusal is in reply to an order of the Chief Justice to produce the men.

Kirk has now in custody over one hundred citizens. It is said that Governor Holden has ordered a Military Commission to assemble at Yanceyville to try those under arrest.

THE WAR IN EUROPE!

PARIS, July 27.

Rochefort has been arrested.

Hohenzollern is in bad odor at Berlin, the precipitate declension of the Spanish candidature preventing the estrangement of France and Spain.

Many German deserters have come in French lines.

A decree has been published declaring the Empress Regent during the Emperor's absence.

The Departments have declared a state of seige.

Another decree calls out 90,000 of the contingent of 1869.

BERLIN, July 27.

The rapid and vast war preparations extinguish the inquietude caused by French boasted readiness for war.

LONDON, July 27.

The Pall Mall Gazette says now that the French designs are known England must prepare for war.

The Journal Officiel denies the complicity of Napoleon in the projected treaty, and implicates Bismarck and the French Ambassador.

The Journal adds, it can escape no one that this publication in the Times was designed merely to influence opinion in England.

The proceedings of Parliament are uninteresting.

The colliery explosion in Wales killed 19 and injured many.

Three failures are reported on the stock exchange.

HAVANA, July 25.

Cuban General Carnello Parro was assassinated by his men, who had heard that he intended to surrender to the Spaniards.

The Cuban Chiefs Fosture, Castellanos and Frore recently visited General Caros' camps, it is supposed to surrender themselves. They did not find the General, who had left for Menanagua, at the head of 300 men, and withdrew.

Gen. d'Armes has captured eleven men belonging to Carlo Garcel's band of brigands, who have committed robberies and outrages in the neighborhood of Bejucal. Seven of them have been identified and sentenced to death.

General Goyeneche has arrived in Havana.

The War in Europe.

The Proposed Treaty—Both Nations Preparing—Neither Ready.

PARIS, July 27.

The Journal Officiel has an article this morning on the pretended treaty recently published in the London *Times* having for its object the acquisition of Luxemburg and Belgium by France on condition of France's not opposing the Union of the States of South Germany with the North German Confederation.

The article says that after the treaty of Prague in 1866 several conferences were held at Berlin between Count Von Bismarck and the French Ambassador on the subject of the projected alliance. Some of the ideas set forth in the *Times* were then advanced, but the French Government never had any knowledge of the project as described, and as far as propositions, which were described at the interviews were mentioned, the Emperor rejected them. The Journal adds: "It can escape the notice of no one that this publication, on the part of the London *Times*, is designed merely to influence public opinion in England."

All organs represent that the secret treaty was not seriously proposed by France, but rather as an attempt to test Bismarck.

The Emperor has given orders to treat prisoners with the utmost humanity. A circular from Ollivier, Secretary of State, says that the papers are only forbidden to mention the movements of troops or propositions for active operations, but they have the right to speak of events of the warin the light of accomplished facts. The Journal adds, as a matter of duty, a reminder to all persons that the Penal Code punishes with death any person giving intelligence of the movements of the army to the enemy. It also reminds non-political papers that they are not entitled to print anything relative to the war.

Another circular from Ollivier calls upon the Bishops to offer up public prayers for the peace of France, her Chief, and the noble infant, who goes to battle at such a tender age, under the protection of Him who holds in His hands the fate of battles and the destinies of the people. At a time when our heroic army is on the march let us ask God to bless our armies and to grant that a glorious and durable peace may quickly follow the griefs and sacrifices of the war.

BERLIN, July 27.

The Correspondence to-day prints the text of the treaty offered by the French Emperor to Bismarck. In its comments, the Correspondence says, that the Emperor waived all opposition to the German unification, provided Prussia would abet the French acquisition of Luxembourg and the reduction of Belgium. The minutes of the proposed treaty, in Benedetti's autograph, are preserved in the War Office, in Berlin. Before the war of 1866, between Prussia and Austria, Napoleon had offered to aid Prussia with an army of 300,000 men, with which to attack Austria, as an equivalent for the cession to France of the territory on the left bank of the Rhine.

Telegraphic Chit Chat.

The Ocean Yacht race has terminated in the success of the Cambria, the English yacht, which arrived at New York yesterday afternoon at half-past three. The Dauntless was sighted at four o'clock.

There have been terrific storms throughout Canada. Many houses have been unroofed, and crops are lying flat.

The athletics, of Philadelphia, beat the Red Stockings, 11 to 7, at Cincinnati yesterday.

A young woman was seen sitting beneath the shade of a large maple tree on Broad street, Philadelphia, soliciting alms, with the following placard fastened around her neck: "Blind for fifty years, and the father of eight small children."

Address of the Central Executive Committee of the Conservative Party to the People of North Carolina.

We transfer with pleasure from the columns of the *Sentinel*, to our own, this admirable and timely address. We commend its teachings to the serious consideration of all our readers.

The action of Chief Justice Pearson has made Governor Holden an irresponsible monarch in North Carolina, and nothing will so well become us, until the election has passed, as prudence and caution. The *coup d'etat* of Louis Napoleon was not more complete than that just accomplished by Governor Holden through his willing tool, Judge Pearson:

TO THE PEOPLE OF NORTH CAROLINA.

Fellow-Citizens:—We feel called upon to address to you again a few words of admonition and counsel.

The Governor of the State, W. W. Holden, has assumed the power to enlist and organize, at great expense to the State, a large body of armed men, a portion of which he has sent into the counties of Alamance and Caswell, where they have arrested many of the leading, most peaceful and unoffending citizens.

These arrests have been made without warrant from any magistrate or Judge and by order of the Governor only, as he avows. The charges, if any, upon which these arrests have been made have in no instance, as we are informed, been made known to the parties arrested, but, when the cause of arrest has been demanded, it has been refused, and the parties since held in close custody.

This armed force is not composed of the militia of the State, as seems to be supposed by many. It is a volunteer and enlisted force, partly colored, and a part of whom are Tennesseeans, not citizens of this State. They are organized into regiments and called N. C. State Troops, and the portions actively engaged in lately making arrests is commanded by a man called Kirk of the State of Tennessee.

Though the power of the Governor to raise such a force has all the while been asserted by him, yet no law has been shown to authorize it, and we are confident that none such exists.

It is very generally believed, and there is much ground for such belief, as we have reason to know, that this armed movement has been set on foot by preconcert and arrangement just before an important general election in the State for the purpose of controlling it by intimidation, or defeating it entirely, by provoking the people to a violent conflict with the armed men referred to and then proclaiming the whole State in insurrection. The next step would be to subject a large portion of our people to all the horrors of a military despotism knowing no law but the will of him who may control it. That such an unheard of and wicked purpose should exist would ordinarily seem to be incredible. Nevertheless facts within our knowledge, and circumstances apparent to all, leave no doubt on our minds that such a purpose does exist.

The Governor of the State has claimed that he has authority to declare any county in the State in insurrection, and when so declared, that the laws and civil authority in any such county is at an end, the writ of *habeas corpus* suspended, and that he has then a right to have any citizen arrested and have him tried without jury, by a military Court.

Writs of *habeas corpus* were sued out by the parties arrested before Chief Justice Pearson.—He has decided that the privilege of the writ of *habeas corpus* is not suspended, and that the Governor has no right to have any one tried in any other way than by the regularly constituted Courts of the State; and he has issued a writ commanding that the parties held in custody be brought before him to be dealt with according to the law of the land; and ordered a copy of the writ, together with his opinion, to be delivered to the Governor, whose duty it is to see that the law is executed.

The Governor, though served with the writ on the 23d instant, has not yet taken any steps to comply with the mandate of the Chief Justice.—It is said he will make known his determination to-morrow. That he should for a moment hesitate to recognize and enforce the law as expounded by the highest judicial officer in the State is to us a matter of amazement. His solemn oath positively obliges him to obey the decision of Chief Justice Pearson.

But whatever may be done, we earnestly and respectfully admonish all our people opposed to these high handed measures to abstain from violence, and urge them to be quiet, but firm and determined, and to go to the polls on the day of election and vote unless prevented by violence.

The ballot-box, we hope, will prove a peaceful remedy for existing evils; there let the people of all classes and races set the seal of their condemnation upon those who now thus inflict upon them injury and outrage. Bear present unusual evils for a while, rather than fly to worse, if possible, for relief, in the circumstances by which we are surrounded. If we are prudent this state of things cannot last long. Partial but peaceful redress for flagrant wrong will come in due course of time.

And so again we exhort you to abstain from violence, to be firm and determined, and by all means to vote as the surest means of speedy redress.

THOMAS BRAGG,
Ch'm'n Cen. Ex. Com.
M. A. PLEDGE,
A. S. MERRIMON,
R. H. BATTLE, JR.,
C. M. BUSBEE,
J. H. MOORE,
J. Q. DECARTERET,
J. J. KITCHFORD,
H. E. PLUMMER.

From the Raleigh Sentinel.

DECISION OF JUDGE PEARSON IN THE HABEAS CORPUS CASE.

Ex parte Adolphus G. Moore.

Upon proof of service and the failure of Col. Kirk to return the writ, the counsel for the prisoner submitted two motions:

1. For an attachment against G. W. Kirk for failing to make return.

2. For a writ, to be directed to the Sheriff of some county, commanding him, with the power of the county if necessary, to take the prisoner out of the hands of said Kirk, and have him before the Chief Justice.

The fact of service and the failure to make return was a sufficient foundation for these motions. But the affidavit sets out further that G. W. Kirk said "he was acting under the orders of Gov. Holden, and should make no return."

This extraneous matter, if true, had in my judgment an important bearing on the pending motions, and not being at liberty to assume it to be true, on the verbal statement of Col. Kirk, I addressed a communication to his Excellency, asking to be informed if Col. Kirk had such orders.

The purpose was to have the order to Col. Kirk avowed or disavowed, and make it a final fact one way or the other, and to afford an opportunity to his Exellency, if avowed, of setting out the ground of his action and of being heard by counsel. The cause of truth is always served by argument on both sides.

1. The main question, and one on which both motions depend, is this: Does the fact that the Governor had declared the county of Alamance to be in a state of insurrection, and had taken military possession, have the legal effect to suspend the privilege of the writ of *habeas corpus* in that county? If so the prisoner takes nothing by either motion; if otherwise it will become necessary to give them further consideration.

It was insisted by the counsel of the prisoner that the Governor's reply is no part of this proceeding and cannot be noticed. In my opinion, it forms a part of the proceedings to the extent of the avowal of the orders given to Col. Kirk, (that is in direct response to my inquiry:) and of the fact that in the exercise of the power conferred on him, he had declared the county of Alamance to be in a state of insurrection, taken military possession and ordered the arrest and detention of the petitioner as a *military* prisoner. The action of his Excellency is relevant, for, if the privilege of the writ of *habeas corpus* be suspended, the writ now moved for, ought not to be awarded. (*Exparte* Tobins, Watkins, 3; Peters 193) the Chief Justice says: "the writ ought to be awarded, if the Court is satisfied that the prisoner would be remanded." This case is cited and approved, *ex parte*, Milligan, 4 Wallace, 111.

His Excellency was also pleased to set out some of the special facts that satisfied him that the civil authorities of the county were unable to protect its citizens in the enjoyment of life and property; it is not mine to pass upon those facts or judge of their sufficiency.

Mr. Badger, of counsel for His Excellency, relied on the Constitution: "The Governor shall be commander-in-chief, and have power to call out the militia to execute the law, suppress riots and insurrections and to repel invasion," Art. XII., sec. 3. And on the statute, act 1869-'70, chap. XXVII., sec. 1, "The Governor is hereby authorized and empowered, whenever in his judgment, the civil authorities in any county are unable to protect its citizens in the enjoyment of life and property, to declare such county to be in a state of insurrection, and to call into active service, the militia of the State, to such an extent as may become necessary to suppress the insurrection;" and he insisted,

1. This clause of the constitution and the statute empowers the Governor to declare a county to be in a state of insurrection, whenever in *his judgment* the civil authorities are unable to protect its citizens in the enjoyment of life and property. The Governor has so declared in regard to the county of Alamance, and the judiciary cannot call his action in question or review it, as the matter is confided solely to the judgment of the Governor.

2. The Constitution and this statute confers on the Governor all powers "necessary" to suppress the insurrection, and the Governor has taken military possession of the county and ordered the arrest and detention of the petitioner as a military prisoner. This was necessary, for, unlike other insurrections, it is not open resistance, but a novel kind of insurrection, seeking to effect its purpose by a secret association spread over the country, scourging and other crimes committed in the dark and evading the civil authorities by masks, fraud, perjury and intimidation. It follows that the privilege of the writ of *habeas corpus* is suspended in that county until the insurrection be suppressed. I accede to the first proposition; full faith and credit are due to the action of the Governor in this matter, because he is the competent authority, acting in pursuance of the constitution and the law. The power from its nature must be exercised by the Executive, as in case of invasion or open insurrection. The extent of the power is alone the subject of Judicial determination. As to the second, it may be that the arrest and also the detention of the petitioner is necessary as a means to suppress the insurrection. But I cannot yield my assent to the conclusion; the means must be *proper*, as well as necessary, and the detention of the petitioner as a military prisoner, is not a proper means, for it violates the Declaration of Rights. "The privilege of the writ of *habeas corpus* shall not be suspended."—Constitution, Art. 1, Sec. 21. This is an *express* provision, and there is no rule of construction or principle of Constitutional law by which an express provision can be abrogated and made of no force by the *implication* from any other provision of the instrument.

The clauses should be construed so as to give effect to each, and prevent conflict.—This is done by giving to Art. XII, sec. 3, the effect of allowing military possession of a county to be taken and the arrest of all suspected persons, to be made by military authority, but requiring by force of Art. 1, sec. 21, the persons so arrested to be surrendered for trial to the civil authorities on *habeas corpus*, should they not be delivered over without the writ.

This prevents conflict with the *habeas corpus* clause and harmonizes with the other articles of the "Declaration of Rights," trial by jury, &c., all of which have been handed down to us by our fathers and by our English ancestors, as great fundamental principles, essential for the protection of civil liberty.

I declare my opinion to be, that the privilege of the writ of *habeas corpus* has not been suspended by the action of his Excellency. That the Governor has power under the Constitution and laws to declare a county to be in a state of insurrection, to take military possession, to order the arrest of all suspected persons and to do all other things necessary to suppress the insurrection, but he has no power to disobey the writ of *habeas corpus*, or to order the trial of any citizen otherwise than by jury, according to the law of the land. Such action would be in excess of his power.

The Judiciary has power to declare the action of the Executive, as well as acts of the General Assembly, when in violation of the Constitution, void and of no effect. Having conceded full faith and credit to the action of his Excellency within the scope of the power conferred on him, I feel assured he will in like manner give due observance to the law as announced by the Judiciary. Indeed he cannot refuse to do so, without taking upon himself the responsibility of acting on the extreme principle, "The safety of the State is the supreme law." I will venture to hope, as evil as the times may be, our country has not yet reached the point when a resort to extreme measures has become a public necessity.

2. The motion for an attachment against Col. Kirk is based on the *habeas corpus* act, acts 1868-'69, chap. 1, sec. 15. "If any person on whom a writ of *habeas corpus* is served, shall refuse or neglect to obey the same by producing the body, &c., within the time required and *no sufficient excuse be shown*, it shall be the duty of the Judge or Court, forthwith to issue an attachment against such person to the Sheriff of any county in the State, commanding him immediately to arrest such person and bring him before the Judge or Court, and such person shall be committed to jail, until he shall make return to the writ, and comply with any order that may be made in relation to the party for whose relief the writ shall have been issued."

Col. Kirk has refused to make return.

The question is, do the facts before me "*show a sufficient excuse?*" The affidavit sets out that Col. Kirk put his refusal on the ground that he had orders from his commander in chief, who is the Governor of the State, not to obey the writ. His Excellency avows that Col. Kirk was acting under his orders. So, we have this case. Col. Kirk is commanded by the Chief Justice to produce the body. He is ordered by his commander in chief not to obey the writ. What was the man to do? He elected to obey his orders. In my opinion there was sufficient excuse for refusing to return the writ. The motion is not allowed. The act in question does not rest on the idea of punishing for a *contempt of the Judge or Court*, but of compelling a return to the writ and the production of the body. It is a substitute for the provision in "the old *habeas corpus* act," which punished the officer or person refusing or neglecting to make due return "upon conviction by indictment," with a fine of $500 for the first offence, and of $1,000 and incapacity to hold office for the second. The late act is an improvement upon the former, by substituting the speedy remedy of attachment in place of indictment and the severe punishment of imprisonment. Both acts are evidently intended to punish for not making return, and the last is also intended for the immediate relief of the party in whose behalf the writ is issued. The notion of punishing for a contempt of the Judge or Court, is not involved in either act, certainly not in that of 1868-'69; that is provided for by the "contempt act," (same session.) The proceeding is, *by a rule to show cause* why an attachment should not issue. And yet I was urged, with much vehemence by learned and aged counsel to rule Kirk up for a contempt of the Chief Justice, in this, the affidavit of service sets out that Col. Kirk, when the writ was served, said, "tell them such things are played out, I have my orders from Gov. Holden, and shall not obey the writ;" I will surrender them on Gov. Holden's order, but not otherwise, unless they send a sufficient force to whip me." This, as was well said by Mr. Badger, is the language of a rude soldier and not as courteous as we usually find in Judicial proceedings. The motion for a rule to show cause for this contempt is not pertinent to the matter now on hand. The evidence on which it rests comes in a questionable shape, extraneous matter put into an affidavit of service to excite prejudice, and the motion made at the instance of one who is under arrest for the horrid crime of murder by midnight assassination; at a time when, as Mr. Bragg feelingly remarked "we are in the last ditch; we look to the Judiciary as our only hope. if that fails us the country is gone! gone! gone!"

I do not feel it to be my duty to leave grave matters and turn aside to put a rule on a rude soldier to show cause for making a flippant speech. I will be borne out by every member of the profession in saying, during thirty years I have had the honor of a seat on the bench, I have never been slow to punish for contempt and preserve the dignity of the Court when I believed there was an intent to assail it. I know my duty and trust I have firmness enough to discharge it. These remarks seemed called for because of the earnestness with which the motion was pressed, in language more courtly but fully as strong as that used by the rude soldier, and the excited manner in which I was reminded of my duty and exhorted to perform it, nay, the oath of office was read to me, and I had the benefit of hearing read much of the lofty language of Lord Mansfield.

3. The motion for a precept directed to the Sheriff of some county to bring the petitioner forthwith before me, and if necessary to take with him the power of the county, is based on the 17th and 18th sections of the *habeas corpus* act. "The Court or Judge may direct a precept to any Sheriff, Coroner, or other person to be designated therein, commanding him to bring forthwith before such Court or Judge the party (wherever to be found) for whose benefit the writ of *habeas corpus* shall have been granted." "In the execution of this writ the Sheriff or person designated may call out the power of the county."

The petitioner is entitled to this writ; the only question is, to whom should it be directed. The motion is that it should be directed to the Sheriff of some county.

I have considered the matter fully and have come to the conclusion not to direct it to a Sheriff. The act gives a discretion. In the present condition of things, the counties of Alamance and Caswell declared to be in a state of insurrection and occupied by military forces, and the public mind feverishly excited; it is highly probable, nay, in my opinion, certain, that a writ in the hands of a Sheriff, (with authority to call out the power of the county) by which he is commanded with force, if necessary, to take the petitioner out of the hands of the military authorities, will plunge the whole State into civil war.

If the Sheriff demands the petitioner of Col. Kirk, with his present orders, he will refuse, and then comes war. The country has had war enough. But it was said by the counsel of the petitioner, "if in the assertion of civil liberty, war comes, let it come! The blood will not be on your hands or on ours; it will be on all who disregard the sacred writ of *habeas corpus*.—Let Justice be done if the heavens fall."

It would be to act with the impetuousity of youth and not with the calmness of age, to listen to such counsels. "Let justice be done if the heavens fall," is a beautiful figure of speech, quoted by every one of the five learned counsel. Justice must be done, or the power of the Judiciary be exhausted, but I would forfeit all claim to prudence tempered with firmness should I without absolute necessity, add fuel to the flame, and plunge the country into civil war, provided my duty can be fully discharged without that awful consequence. Wisdom dictates, if justice can be done, "let heaven stand." Unless the Governor revokes his orders Col. Kirk will resist; that appears from the affidavit of service.

The second branch of the motion, that the power of the county be called out if necessary to aid in taking the petitioner by force out of the hands of Kirk, is as difficult of solution as the first.

The power of the county or "posse comitatus" means the men of the county in which the writ is to be executed; in this instance Caswell, and that county is declared to be in a state of insurrection.—Shall *insurgents* be called out by the person who is to execute the writ to join in conflict with the military forces of the State?

It is said a sufficient force will volunteer from other counties. They may belong to the association or be persons who sympathize with it. But the "posse comitatus" must come from the county where the writ is to be executed. It would be illegal to take men from other counties. This is settled law. Shall illegal means be resorted to in order to execute a writ.

Again, every able-bodied man in the State belongs to the militia. The Governor is by the Constitution "Commander-in-Chief of the Militia of the State." Art. III, sec. 8. So the power of the county is composed of men who are under the command of the Governor. Shall these men be required to violate with force the order of their Commander-in-Chief, and battle with his other forces that are already in the field? In short, the whole physical power of the State is by the Constitution under the control of the Governor. The Judiciary has only a moral power. By the theory of the Constitution there can be no conflict between these two branches of the Government.

The writ will be directed to the Marshal of the Supreme Court, with instructions to exhibit it, and a copy of this opinion to his Excellency, the Governor. If he orders the petitioner to be delivered to the Marshal, well; if not, following the example of Chief Justice Taney in Merriman's case, Annual Cyclopœdia, for the year 1861, page 555, I have discharged my duty, the power of the Judiciary is exhausted, and the responsibility must rest on the Executive.

PEARSON.

The following is the order of the Chief Justice to the Marshal:

To David A. Wicker, Marshal of the Supreme Court:

You are hereby commanded in the name of the State of North Carolina, forthwith to bring Adolphus G. Moore, wherever to be found, before me, Richmond M. Pearson, Chief Justice of the Supreme Court, in the city of Raleigh. Herein fail not. Have therein this writ and make due return.

RICHMOND M. PEARSON,
Chief Justice Supreme Court.

Raleigh, July 20th, 1870.

Instructions.—You will wait upon His Excellency, the Governor, exhibit to him this writ and a copy of the opinion in "Moore's case" and make return to me.

R. M. PEARSON, C. J. S. C.

P. S.—Chief Justice Pearson has, this afternoon, issued similar orders for all the other prisonerrs now held by Kirk.

Blue and Gray.

A Washington letter to the Chicago Tribune (red hot Radical) declares that "we can never have a good government until we acknowledge that every gray uniform and every blue uniform has an influence and a righteous place in the body politic."

New York Market.

NEW YORK, July 28—Noon.

Stocks opened dull and heavy. Government Bonds firm at 109⅜. Gold, 121¼. Money 3 to 5 ₩ cent. premium. Sterling Exchange—long, 109⅜; short, 110¼. Five-twenties of '62, 109⅜.—Tennessee sixes, ex-coupons, old, 63; new, 60⅜. Virginia sixes, ex-coupons, old, 60; new, 63. Louisiana sixes, ex-coupons, old, 63; new, 64. Lovee's, 65. Eights, 85. Alabama eights, ex-coupons, 98½; fives, 72. Georgia sixes, ex-coupons, 80; sevens, 90. North Carolina sixes, ex-coupons, old, 47½; new, 29¼. South Carolina sevens, ex-coupons, old, 80; new, 70.

Flour dull and drooping. Wheat 1 to 2 cents lower. Corn firm Pork dull at $30. Lard dull at 17 to 17¼ cents. Cotton dull and lower—Uplands 20 cents; Orleans 20½ cents. Sales of 300 bales. Turpentine steady at 40½ cents. Rosin dull at $1 70 for strained. Freights firm

Wilmington Wholesale Prices Current.

BEESWAX, ₩ lb	30 @ 31	LIME, ₩ bbl.	0 00 @ 0 00
BARRELS, Sp'ts T., each,		From store	0 00 @ 1 20
2nd hand	2 25 @ 2 75	MOLASSES, ₩ gallon,	
New	2 75 @ 3 00	Cuba, hhds	38 @ 42
CANDLES, ₩ lb.,		do bbls	43 @ 45
Tallow	18 @ 20	Sugar house	25 @ 28
Adamantine	18 @ 20	do bbls	28 @ 32
Sperm	50 @ 55	Syrup, bbls	50 @ 1 00
COFFEE, ₩ lb.,		NAVAL STORES,	
Java	30 @ 35	Turpentine ₩ 280 lbs.	
Laguayra	23 @ 26	Virgin new	0 00 @ 2 75
Rio	18 @ 23	Yellow dip	0 00 @ 2 25
St. Domingo	25 @ 28	Hard	0 00 @ 1 20
COTTON, ₩ lb.,		Tar, ₩ bbl.	0 00 @ 1 30
Ord. to Mid'g	15 @ 17½	Tar, in ordr	0 00 @ 1 45
Strict Mid'g	00 @ 18	Pitch, City	0 00 @ 1 90
COTTON BAGGING,		Rosin, pale	4 25 @ 5 00
Gunny, ₩ yd	30 @ 31	do No. 1	2 50 @ 3 50
Dundee	00 @ 33	do No. 2	1 40 @ 1 75
Flax	28 @ 30	do No. 3	0 00 @ 1 27½
Double Ane'x	32 @ 33	Spirits Turpentine,	
Rope, ₩ lb	7 @ 10	₩ gal	00 @ 36½
CORN MEAL,		NAILS, ₩ lb.,	
₩ bushel	1 45 @ 1 50	Cut	5 25 @ 5 50
DOMESTICS,		OILS, ₩ gallon,	
Sheeting,		Sperm	0 00 @ 3 00
₩ yard	12 @ 16	Linseed	1 40 @ 1 50
Yarn, ₩ 5 lb	1 80 @ 2 00	Machinery	1 75 @ 2 00
FEATHERS,		Kerosene	40 @ 42½
₩ lb	65 @ 75	PEA NUTS	1 50 @ 2 50
FISH, ₩ bbl.,		POTATOES,	
Mackerel,		Sweet, bush	1 30 @ 1 50
No. 1	28 00 @30 00	Irish, ₩ bbl	2 50 @ 3 00
No. 2	00 00 @00 00	PROVISIONS, ₩ lb.,	
No. 3	00 00 @00 00	N. C. Bacon.	
Mullets	7 00 @11 00	Hams	22 @ 23
Herring,		Middlings	20 @ 22
Fast	8 00 @ 9 00	Shoulders	19 @ 20
N.C.roe	0 00 @12 50	Hog round	20 @ 21
do cut	8 00 @10 00	Western Bacon	
do gross	7 00 @ 8 00	Hams	19 @ 21½
Dry Cod, ₩ lb	9 @ 10	Middlings	19 @ 19½
FLOUR, ₩ bbl., Northern		Shoulders	17 @ 17½
Family	8 50 @10 50	Lard, N. C.	19 @ 20
Superfine	6 75 @ 7 00	do North'n	16 @ 20
Fine	6 00 @ 6 25	Butter, N. C.	00 @ 30
Ex. Super	6 00 @ 7 50	do North'n	35 @ 42
NORTH CAROLINA,		Cheese	18 @ 20
Family	8 00 @ 8 50	Pork, Northern, ₩ bbl.	
Superfine	7 00 @ 7 25	City Mess	00 00 @33 33½
GLUE, ₩ lb	16 @ 20	Thin	00 00 @00 00
GUNNY BAGS	25 @ 00	Prime	00 00 @00 00
GUANO, Peruvian,		Rump	28 00 @30 00
Per ton	82 50 @85 00	SALT, Alum, per	
GRAIN, ₩ bushel,		bag 2 bush	1 50 @2 00
Corn	1 30 @ 1 45	Liverpool, sack, ground	
Oats	80 @ 85	cargo	0 60 @ 1 50
Peas, Cow	0 00 @ 1 50	from store	0 00 @ 1 60
Rice, rough	0 00 @ 1 35	American	1 50 @ 1 55
Carolina	7 @ 9	SUGAR, ₩ lb.,	
HIDES, ₩ lb.,		Cuba	12½@ 13½
Green	5 @ 7	Porto Rico	13 @ 13½
Dry	14 @ 15	C	12½@ 14
HAY, ₩ 100 lbs.,		B	14 @ 14½
Eastern	1 20 @ 1 40	A	00 @ 15
Northern	75 @ 1 60	Crushed	15½ @ 16
IRON, ₩ lb.,		SOAP, ₩ lb.	
English, ass'd	8 @ 10	Northern	6½@ 10
American, ref.	0 @ 10	Wilmington	
American,		Ext. Family	10½@ 11
sheer	9 @ 10	Family	10 @ 10
Swede	10 @ 12	Chemical	0 @ 9
Hoop,		Palo	8 @ 8
₩ ton	100 00@120 00	SHINGLES, ₩ M.,	
LIQUORS, ₩ gal., (dom.)		Contract	4 00 @ 5 50
Whiskey	1 35 @ 2 25	Common	0 05 @ 3 00
Bourbon	2 00 @ 1 00	STAVES, ₩ M.,	
N. E. Rum	2 00 @ 3 00	W. O. bbl	00 00 @39 00
Gin	4 00 @ 7 00	R. O. hhd	00 00 @00 00
Brandy	4 00 @ 9 00	TIMBER, ₩ M.,	
do Apple	2 75 @ 3 00	Shipping	10 00 @11 00
do Peach	3 00 @ 3 50	Mill, prime	7 50 @ 8 00
LUMBER, (River,		Mill Fair	6 00 @ 7 00
Fir Bds	35 00 @17 00	Mill, inferior to	
Wide do	12 00 @14 00	ord	5 00 @ 5 00
Scantling	10 00 @12 00	TALLOW, lb	10 @ 12

REVIEW

OF THE

WILMINGTON MARKETS

FOR THE

WEEK ENDING THURSDAY,

July 28, 1870.

TURPENTINE—Is without change in price for the week just closed. There has existed a steady enquiry, and all brought to market has found sale at $2 75 for virgin, $2 25 for yellow dip, and $1 20 for hard, ₩ bbl. of 280 lbs. Receipts are only moderate, reaching 796 bbls., and sales made as follows:

	Bbls.	Virgin.	Yellow Dip.	Hard.
Friday	253	$2 75	$2 25	$1 20
Saturday	190	2 75	2 25	1 20
Monday	100	2 75	2 25	1 20
Tuesday	105	2 75	2 25	1 20
Wednesday	149	2 75	2 25	1 20
Thursday	112	2 75	2 25	1 20

SPIRITS TURPENTINE.—The firm feeling reported in our last for this article continued during the earlier part of the week just ended, and prices show an advance. On Monday the market was active and excited, and all offering was readily taken at a further advance in prices, sales being made at 36½ to 37½ cents for Southern and 37½@38 cents for New York packages. On Tuesday, however, the market opened less firm, and the price has since declined ½@1 cent—closing at 36½ cents for Southern, with a light stock in factors' hands. The sales are as follows:

Friday	21	casks at	35	cents ₩ gallon.
Saturday	229	"	36	" " "
Monday	33	"	36½	" " "
Do	175	"	37	" " "
Do	130	"	37½	" " "
Do	158	"	37½*	" " "
Do	17	"	38*	" " "
Tuesday	81	"	37	" " "
Wednesday	554	"	36½	" " "
Thursday	400	"	36½	" " "

ROSIN—The market for all grades has ruled dull during the week, and prices show a falling off from those given at the close of our last review. The "war" news from Europe still has the effect to check transactions, and the sales made have been principally to "fill up" freight room. The stock here is quite small, and the bulk is held out of market, factors refusing to accept the low figures now offering, especially for the lower grades. The week's sales are as follows: Friday 308 bbls. at $1 35 for strained, delivered, $2 50, $3 25, $3 37½@$3 50 for No. 1, and $4 for Pale; Saturday, 467 bbls. at $1 30 for strained, $1 80 for extra for No. 2, and $4 25 for Pale; Monday, 1,506 bbls. at $1 27½ for strained, $1 40@$1 45 for No. 2, $1 75@$1 80 for extra No. 2, and $2 50@$3 for No. 1; Tuesday, 243 bbls. at $1 05 for No. 2, $2 25, $2 75@$3 12½ for No. 1, $4 for Pale, and $4 50 for extra Pale; Wednesday, 550 bbls. at $1 27½ for strained, delivered; Thursday 505 bbls at $1 40@$1 45 for No 2, $2 50@$3 for No 1, $4 for Pale, and $4 25@$4 37½ for extra Pale—₩ bbl. of 280 lbs.

TAR—No receipts or sales since our last that we can hear of. Little or no enquiry, and we quote nominally at $1 30 ₩ bbl.

BARRELS—There is some enquiry for empty spirit barrels, and in the absence of receipts the stock has become pretty much worked off, only one or two small lots remaining in first hands. We quote from wharf as follows: Second hand country $2 25@$2 30 as they run, $2 50@$2 55 for selected, and $2 75 for new;—New York $2 75@$2 80 for second hand, and $3@$3 10 for new.

BEESWAX—Finds sale upon receipt at 30@32 cents ₩ lb.

BEEF CATTLE AND SHEEP—Are in moderate receipt, and there is a fair supply at present on market, while we report only a light demand for butchering purposes. Sales have been made on the hoof at 6@8 cents ₩ lb net for beeves, and $2@$2 25 each for sheep.

CORN MEAL—Market moderately supplied, and demand fair. Sales from the mills at $1 45@$1 50 ₩ bushel.

COTTON—The market generally has ruled the same as reported in our last. There was some little enquiry for one or two days, and a few small lots changed hands at 15, 16@17¼ cents—closing at a basis of 18 cents for middling, with meagre receipts and no stock of consequence offering.

EGGS—Are in good supply, and dull of sale. We quote as selling by the quantity at 16@18 cents, and at retail at 20 cents ₩ dozen.

FERTILIZERS—Market fairly supplied with most kinds, and but little demand exists at present. From store we quote small sales as follows: Peruvian Guano, $82 50@$85; Pacific do. $60@$65; Wando Guano, $70; Patapsco do. $65; Phœnix do. $55; Navassa Guano, $65; Wilcox, Gibbs & Co's Manipulated do. $70; E. F. Coe's Superphosphate of Lime, $60; Baugh's Raw Bone Phosphate, $60; Whitelock's Cerealizer $70; Cheesapeake Phosphate, $60; Lister Bros. Superphosphate of Lime $65; Whann's Raw Bone Superphosphate, $70; Lodi Manufacturing Co. Pure Bone $48; do do double refined Poudrette $30; do do Nit. phosphate Lime $60; Berger & Butz's Superphosphate, $60; Wilson's Superphosphate of Lime, $60; Star Soluble Phosphate $55; Compound Acid Phosphate of Lime $48; Land Plaster $18—all ₩ ton of 2,000 lbs.

FLOUR—The market is moderately supplied with all grades of Northern and Western brands, and rules less firm, prices being about 25 cents lower than quoted in our last. There is a fair jobbing demand, and sales are making from store at quotations in table, according to quantity and quality.

GRAIN—In the CORN market we have no material change to report for the week just closed. The receipts comprise about 15,000 bushels, all of which has gone into store, and we have no sales to report except in the small way. There is only a moderate stock in dealers' hands, and a fair demand exists for jobbing lots. We quote from store at $1 35 for mixed, and $1 45 ₩ bushel for white, sacks included. Cargo price we quote at $1 30.——OATS—Supply moderate, and there is merely a retail enquiry, which is being filled from store at 80@85 cents ₩ bushel. PEAS—For a week or two past the market has ruled rather high for all descriptions, and prices have declined. Small receipts and sales of Cow at $1 40 ₩ bushel.——RICE—Is in moderate supply and demand light. Sales from store of clean Carolina at 7@9 cents per lb, as in quality.

HAY—No arrivals worthy of report for the week, but the market is fully supplied and demand light. Last cargo sales were at 70@80 cents for Northern, and $1 30 for Eastern.

LIME—Is in full stock, and the light demand is being supplied from store at $1 20 ₩ cask.

LUMBER—Stock of all descriptions fully fair, and only a light shipping demand exists. The city mills are selling cargoes at the following figures:

Pine Steam Sawed Lumber—Cargo rates—per 1,000 feet.

Ordinary assortment Cuba cargoes,	$18 00 @ 19 00
" " Hayti cargoes,	18 00 @ 00 00
Full cargoes wide Boards	20 00 @ 22 00
" flooring boards, rough	22 00 @ 23 00
Ship Stuff as ₩ specifications	23 00 @ 24 00
Deals, 3 by 9	20 00 @ 22 00
Prime River flooring	18 00 @ 20 00

MOLASSES—Supply fair, and demand mainly in the retail way. See table for store prices.

PEA NUTS—None coming in, and the market is bare. There is a fair enquiry, and prime lots would command ready sale at $2 50 ₩ bushel.

POTATOES—Irish are coming to market rather slowly, and sell from carts at $1 ₩ bushel.

POULTRY—Is in light receipt, and demand good. We quote live chickens at 20@35 cents, and grown fowls at 40@50 cents each, as to size.

PROVISIONS—The market for North Carolina cured BACON rules about the same as last reported. The supply is somewhat better, though still small, and there is a moderate request for jobbing lots. We quote at 20@21 cents for hog round, 21@22 cents for sides, and 22@23 cents ₩ lb for hams—at which small sales have taken place, highest figures being for choice lots.—Western is in better request and the price is a shade higher; receipts small and stock light. We quote from store as follows: Smoked, 17@17¼ cents for shoulders, 19 to 19½ cents for sides, and 19 to 21 cents for hams, as in quality;—dry salted, 15½@16 cents for shoulders, and 18@18½ cents for sides.——LARD—Northern is unchanged; supply fair and a moderate business doing from store at 17@20 cents ₩ lb, as in quality.——PORK—Northern is in light stock and prices a shade better. Sales from store at quotations in table.

SALT—Supply fully fair, and no demand except in the retail way. We quote as selling from store at $1 50 for American, and $1 60 ₩ sack for Liverpool ground.

SHINGLES—Only small boat loads coming in, which find sale at $3 for Common, and $4@$5 ₩ m. for Contract.

TIMBER—Is in moderate enquiry for mill purposes, and market steady. Only 3@4 rafts received, which have found sale at figures quoted in table.

WOOD—Is brought in slowly, and by the quantity sells at $2 25@$2 50 for pine, $3 for ash, and $3 25 per cord for oak.

FREIGHTS—To coastwise ports continue to rule exceedingly dull. Very little produce offering shipment, and some difficulty is experienced in obtaining cargoes. See table for current rates by steam and sail vessels.

Rates of Freight.

	Per Steamer.	Per Sailing Vessel.
TO NEW YORK.		
Crude Turpentine per bbl.	$0 00 @ $0 50	$ 00 @ $ 40
Tar, "	0 00 @ 00 50	00 @ 40
Spirits Turpentine, "	00 @ 1 00	00 @ 0 60
Resin, "	35 @ 0 50	00 @ 40
Cotton, per bale	00 @ 2 00	@ ½
Cotton Goods, per bale	0 00 @ 1 00	00 @ 75
Flaxseed, per bush	00 @ 18	00 @ 15
Pea Nuts, "	@ 10	00 @ 10
TO PHILADELPHIA.		
Crude Turpentine per bbl.	0 00 @ 50	0 00 @ 50
Tar, "	0 00 @ 50	0 00 @ 50
Spirits Turpentine, "	0 00 @ 0 90	0 00 @ 80
Rosin, "	0 00 @ 50	00 @ 50
Cotton, per lb	0 @ ½	00 @ ½
Cotton Goods, per bale	0 00 @ 75	0 00 @ 1 00
Pea Nuts, "	00 @ 12½	00 @ 12
Lumber	00 00 @ 8 00	00 00 @ @ 6 00
TO BALTIMORE.		
Crude Turpentine per bbl.	00 0 @ 0 45	0 00 @ @ 0 40
Tar, "	00 0 @ 0 45	0 00 @ @ 0 40
Spirits Turpentine, "	0 00 @ 80	00 @ @ 0 75
Rosin, "	0 00 @ 40	00 @ @ 40
Cotton, per bale	00 @ 1 50	00 @ @ ½
Pea Nuts, per bush	00 @ 00	00 @ @ 00
Lumber	00 @ 00	6 00 @ 6 50
TO BOSTON.		
Crude Turpentine per bbl.	0 00 @ 0 00	@ 0 65
Tar, "	0 00 @ 0 00	@ 0 65
Spirits Turpentine, "	0 00 @ 0 00	0 00 @ 1 00
Rosin, "	0 00 @ 0 00	@ 65
Cotton, per lb.	00 @ 00	@ ½
Pea Nuts, per bush.	00 @ 00	00 @ @ 12½
Lumber	00 @ 00	00 @ @ 10 0

North Carolina.

The new emeute in North Carolina—the most prolific of the new-born States in the bitter fruits of Reconstruction—is a Radical affair in every sense of the word. The Radical Governor, Holden, who from the very beginning of Reconstruction has been one of the most radical disturbers of law and order and the regular administration of just

THE WILMINGTON JOURNAL

WILMINGTON, N. C.,

SATURDAY, JULY 23, 1870.

Oliver H. Dockery and the Colored People.

Records are sometimes very ugly things. For instance, if there had been no record made of the vote upon the adoption of the Fifteenth Amendment it would have been difficult to make the colored people of this District believe that Brigadier-General Dockery had not voted for that "great measure of human rights." And, too, if some disloyal rebel had been the clerk who recorded the vote it might have been said that he had not made an honest record, or surely "Brigadier-General" Dockery would not "go back upon" his friends so soon and on such a vital point.

But "Brigadier General" Dockery did not begin his political life with his entrance into Congress. He had made a record in regard to the negro in the Legislature of North Carolina, and judging from his votes then we might well believe that there was method in his not voting for the Fifteenth Amendment.

Oliver H. Dockery, unfortunately for his present claims upon the colored men for their suffrage, was a member of the House of Commons in the Legislature of 1858-59, as a Representative from Richmond County. He gave several votes then in regard to the colored people which doubtless he does not care to see dragged before them now. We intend, however, to refer to a vote or two of his during that session. We get our information direct from the "House Journal, 1858-9," and refer those who may doubt the accuracy of the extracts to the volume indicated, or to Judge Edward Cantwell, who was Clerk of the House.

Mr. Walser, one of the Commoners from Davidson, introduced a bill "to remove free persons of color from the State." (See page 36.) The object of the bill is plain from its title. It was for the purpose of getting rid of all the "free negroes," as it was thought their influence upon the slaves was injurious.

The bill came up on its passage on the first day of February, 1859. (See page 252 and 253.) Mr. Farrow moved that the question be indefinitely postponed, which, if carried, would be equivalent to the defeat of the bill. The yeas and nays were called by Mr. Meares, of Brunswick, and the motion to indefinitely postpone was carried and the bill defeated; yeas 62, nays 44; but *Oliver H. Dockery voted against postponement.*

JOHN KERR, who is now a prisoner in the hands of Kirk's men, insulted and ill-treated worse than a common felon, because it is alleged, we suppose, that he has been cruel to the colored people, *voted for the postponement of the bill.*

At the same session Mr. Pritchard, of Mecklenburg, introduced a bill "to enforce the collection of debts from free negroes." (See page 250.) We have not a copy of the bill, as it did not pass for want of time, but from the debates and the amendments offered it can be seen that it provided for the *sale of persons of color for debt*, under certain circumstances.

Mr. Outlaw, of Bertie, moved its indefinite postponement, (See page 513.) which was decided in the negative, with the *aid of Brig. Gen. Dockery.* After some amendments were adopted, Mr. Scales, of Alamance, moved to lay the bill on the table. (See page 514.) Dockery *voted in the negative.*

The bill was then put upon its passage upon its second reading (see page 515) and Dockery *dodged.* He took his lessons thus early, and consequently was very useful in the Fifteenth Amendment dodge. R. K. Bryan and G. J. Moore, of New Hanover, were present and voted against the passage of the bill.

This is "Brigadier General" Dockery's record in regard to the "free negroes." Now for the slaves.

Mr. Flemming, of Rowan, introduced a bill "to prevent the emancipation of slaves by will," (see page 229). This bill came up on the 3d day of February. A motion was made to lay the bill on the table (see pages 498 and 499). Dockery *voted against the motion.*

Mr. Ferebee moved to amend, as follows: When any free negro shall desire to become a slave he may do so, under the provisions of this bill." Dockery voted for the amendment.

The bill then came up on its passage (see page 500) and it was defeated—yeas 55, nays 58. But Oliver H. Dockery VOTED FOR THE BILL. *He voted to prohibit the masters of slaves in North Carolina from emancipating their slaves by their last wills and testaments.*

Now he calls upon these same men, no longer slaves, but citizens, to vote him into office to take care of their interests. They may well doubt the honesty of his professions—the sincerity of his notable absence in the vote on the Fifteenth Amendment. His whole political history convicts him of early and continued hostility to the black man, free and slave.

Holden's War.

The military crusade which Holden is making against the people of Alamance and Caswell, and which doubtless he will extend to other counties, is costing immense sums of money. The shrieks of dying women and children, the groans of strong men, and the desertions of home and business and crops are the present evils of Holden's military operations. But men cannot be fed, and clothed, and paid, and transported without fearful cost. The people of North Carolina are expected to foot the bill. The victims of these outrages, it is intended, shall pay the expenses.

If the organization of Holden's regiments of "State troops" is illegal, as we do fully persuaded it *is*, then the treasurer and his bondsmen are responsible for all the money paid out for that purpose. This money cannot be forced from the people this year, for the taxes have already been assessed. It is expected that the next Legislature will legalize these expenditures, and the money will be raised by additional taxation next year.

Our advice, therefore, is for all candidates for the Legislature, Conservative and Radical, to be asked by the people if they will vote for an appropriation for this purpose. If any candidate approves of Holden's war, and will vote money out of the Treasury to defray its expenses, he should be beaten regardless of his politics. Our burdens are too heavy now. White and black people alike are hampered and crushed under the stagnation of business caused by the excessive taxes which we pay. Let every constituency demand a pledge of candidates that they will, under no circumstances, vote to pay the debt incurred by Holden for his military operations. This course has been pursued in several counties already, and Conservatives and Radicals freely pledge themselves against the war programme of the Governor and against all appropriations in its behalf. If the Governor inaugurates war against his own people, in violation of his duty and contrary to law, and the Treasurer honors his requisitions, let them make good the amount, or let their creditors whistle for their money.

Making Radicalism Decent.

The excesses and corruptions of the Radicals in North Carolina have rendered the party most infamous. The extravagance and profligacy which have characterized every department of the State Government under Radical rule, are not only without precedent, but have well nigh ruined North Carolina. Her credit has been destroyed, her prosperity checked, and the laws have been violently set aside, and the mandates of the Judge are powerless in the presence of the bayonets of the military.

We have gone from bad to worse. Seeing that the people were determined to cast off the bad government and worse rulers, with which they are cursed, the military resources of the State, exercised illegally and murderously, are brought into requisition to prevent the overthrow of the corrupt party. The people are to be forced into an apparent endorsement of the profligacies which have converted the capitol into a den of thieves and the capital into an abode of harlots, and also of the corruptions which have ruined the value of our bonds, after being used to influence the votes of legislators, the support of State officials, and the opinions of Judges.

No man in North Carolina had better opportunities of knowing all the crimes, social and political, of which the Radical party had been guilty, than Mr. Samuel F. Phillips, their present candidate for Attorney General. He had been continually at the seat of government. His legal services had been called into requisition to appear upon one side or the other of several cases involving the private and official character of leading Radicals. As a member of the Bragg-Phillips Investigating Committee, most of the crimes by which North Carolina had been ruined were laid open before him, not excepting such as may have been attempted to be concealed by the shallow falsehoods of some of the more notable witnesses before him. Not even the precipitate and guilty flight of Swepson could serve to hide the stupendous transactions by which the State had been robbed.

Mr. Phillips, indeed, confessed that there had been some short comings among the party leaders in his speech accepting the nomination. But then, that was previous to his allegiance to the party, and was not his affair. He expected, of course, to reform the party, since he had taken the leadership. As the "dear departed" would have said, this reminds us of a little story.

There is a distinguished European statesman who, a few years ago, being no longer young—took it into his head to marry a brilliant, too brilliant lady—*matre pulchra filia pulchrior*—a lady who, following in the footsteps of a dashing and fearless mother, made the eyes of Europe to open very wide sometimes. The lady was a widow; the statesman an old bachelor. Friends of the statesman remonstrated, spoke rather frankly and emphatically of the lady's past career; of her mother's career; of this, that, and the other scandal clinging to the silken skirts of the two ladies. The elderly lover listened unmoved. At last the King of the country (it is a country with a King) sent for the statesman and endeavored to dissuade him from the marriage. "Don't you know," said his blunt majesty, "what is reported about her, and him, and *him*, and *him*—and don't you know that it was all quite true?" "Doubtless it was true, sire," replied the statesman calmly, "but all that happened in the time of her late husband. It was all his affair; *I* have nothing to do with it."

The Issue in Sampson.

We publish elsewhere to-day a long and glowing account of the political situation in Sampson county, but a private letter from a friend furnishes us with some points not given there.

Dockery lately appeared before the people of that county, and, taking advantage of Col. Waddell's absence, made some charges against that gentleman which could not be substantiated. He asserted that Col. Waddell was now in favor of qualified suffrage, and on this dodge sought to defame him in his absence. But though our gallant candidate was absent there were yet warm friends there to defend him, one of whom, Col. A. A. McKoy, told him to his face that he had made a false representation of Col. Waddell's views, and, in turn, held up the valliant "Brig. Gen." to the scorn of the assemblage. Col. McKoy told Dockery that he would not allow him to dodge the responsibility of associating with, and promoting to office, a Governor and carpet-baggers who have filched from the treasury the hard earnings of the people; have made the State bankrupt; have disgraced the people and have brought upon us the dire calamity of Holden's despotism, upheld by the bayonets of Kirk's desperadoes. Col. Waddell he highly commended to the voters of Sampson as a true son of the State, an honorable man and as one whose irreproachable character and eminent abilities qualified him for any office within the gift of the people.

Col. McKoy did not spare Dockery, and the ex-Lieut. Col. fairly winced under the hard hits he received. He dodged as well as he could, for he is "the artful dodger," but it did him no good, and he was so severely handled in the discussion that he left Sampson greatly discouraged at his prospects for election. He did not seem to breathe easy while there, and hurried away as rapidly as possible.

Not the least point made against him by Col. McKoy was his absolute neglect of duty, in leaving his seat in Congress, before the adjournment of that body, for the purpose of canvassing for a re-election. And even now, instead of being at Washington City, pleading with President Grant, in the interests of his constituents, to withdraw the countenance given to Holden in his war on the peaceful and defenceless people of North Carolina, he has the impudence to appear before a decent Conservative people, begging them to support him for a re-election to office. This last was, it seems, the feather that broke the camel's back and poor Dockery wilted. His impudence had expended itself, and, as every one knows, when that is all gone, Dockery has nothing left. As Col. McKoy so justly said of him, "he has no nerve but a plenty of bluster."

Sampson is all right and is ready for election day. She will roll up her full quota for the cause of law and order and will give her aid in endeavoring to put down the lawless men who have ruined the State and are now conspiring against the lives of our people.

Col. Waddell.

We are pleased to learn that Col. WADDELL'S progress throughout the District is really a triumphant one. He makes his mark wherever he goes, old friends and new friends alike rallying around his banner filled with perfect enthusiasm. He works nobly and effectively for the good of the cause, and is devoting his energies, day and night, to the furtherance of Conservative principles

Kirk and the Courts.

The administration of justice in North Carolina at present, perhaps, does not deserve an excess of respect. But it has certainly got from the excellent Colonel Kirk, whose exploits have been already celebrated in these columns, as little as it can possibly deserve. That amiable officer of the State militia has been bratifying his higher aspirations by leading his lambs into the pleasant pastures of the private houses of his military district and arresting the occupants thereof altogether at random. The Chief-Justice of the State interposed a writ of *habeas corpus* as a barrier to the progress of the adventurous Kirk, but that hero leapt lightly over it, with the flippant remark that "this thing was played out." This is the tone of observation in which the meek General Dix and the gentle General Lew Wallace used to indulge in New York and other capitals during the war. But there is as little pretext for it in North Carolina now as if the late General Sanford had varied his bloodless glories with the warlike feat of burning eminent citizens in their beds, or the present Colonel Fisk should so far subordinate his public function to his private interests as to order his command to a midnight massacre of Mr. Vanderbilt and of the resident stockholders of the railway over whose interests he himself presides with such admirable fidelity. But as Kirk has put himself outside of the law by his treatment of his ministers, it is to be hoped that, in case the law should be found powerless to vindicate itself, some one of Kirk's victims may take it into his own hands by cutting the career of Colonel Kirk. Such a doing of a little wrong, to do a great right would no doubt inflict upon us the extra session of Congress which Mr. Grant's advocacy could not obtain. There would be no more difficulty about making out an assault upon Kirk to be a breach of privilege than there was about the assault upon Porter; and the Tribune would possibly represent to us that no loyal man's life was safe, and that it was indispensable, in view of this tragic occurrence that the negroes of North Carolina should be presented each with a farm, and an additional duty of 100 per cent. be imposed upon pig-iron. But the perpetrator would have the consolation of knowing that he had suppressed one of the most flagrant of all the nuisances produced by the anarchic condition which Federal misgovernment has entailed upon some of the Southern States.—*N. Y. World.*

There will be no privateering in a war between France and Prussia. It is forbidden by the "Paris Declaration" of 1856, which was signed by the Plenipotentiaries of England, France, Prussia, Austria, Russia, Sardinia, and Turkey. The exact language of the four points then agreed upon is as follows:

1. Privateering is and remains abolished.

2. The neutral flag covers enemy's goods, with the exception of contraband of war.

3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.

4. Blockades, in order to be binding, must be effective; that is to say, maintained by a force sufficient really to prevent access to the coast of the enemy.

The American Government, it will be remembered, declined to become a party to the above declaration.—*N. Y. Tribune.*

A slight touch of superstition is not in itself objectionable; it only becomes so when forced upon others. A hospital surgeon who has made observations declares that a large per centage of patients carry with them some sort of a charm against disease; usually a horse-chestnut in the pocket. But when The West Union Defender (Ohio) expects its readers to believe a story about a cure thus effected, it looks like carrying things too far. The story is that Mr. Nicholas Plummer, of North Liberty, substituted a potato for the conventional chestnut, his complaint being rheumatism. After carrying the potato eighteen months in his pocket he finds his rheumatism departed and his potato turned to stone. Solid stone; none of your chalkstones, such as rheumatic patients get in their joints, but a small brown rock that resounds on being struck with a metallic ring. A solanopathic school of medicine may be expected.

THE stockoolders of the Raleigh & Gaston, and of the Chatham, Railroad, met at Raleigh on Thursday and Friday. The following Board of Directors was elected for the ensuing year: Dr. W. J. Hawkins, George W. Mordecai, (these two unanimous) Walter Clard, J. B. Batchelor, A. M. McPheters, S. S. Royster and Colonel George Little. At a subsequent meeting of the Board of Directors, Dr. W. J. Hawkins was re-elected President unanimously.

The female clerks of New York city have held a meeting and organized an early closing association to carry into effect the demand that their hours of business shall end at 7 P. M. daily.

MEETING OF THE GRAND LODGE I. O. O. F., OF NORTH CAROLINA.—GOLDSBORO', N. C. July 19th, 1870.—The Right Worthy Grand Lodge of the Independent Order of Odd Fellows, of the State of North Carolina, convened this day at 3 o'clock, in the Hall of Neuse Lodge, No. 6, pursuant to adjournment, when, upon a call of the roll, the following officers were found to be present:

W. L. Smith, R. W. G. Master.
J. H. Baker, R. W. D. G. Master.
A. Barnes, R. W. G. W.
J. W. Gulick, R. W. G. Secretary.
P. S. Whisnant, W. G. Marshal.
R. A. Watson, W. G. Conductor.
John Taylor, W. G. Guardian,

and a quorum of Representatives from Subordinate Lodges.

The R. W. G. Master submitted his Annual Report, which was encouraging to the order—the various Subordinate Lodges being in a more healthy and prosperous condition than at the last annual meeting.

Reports from the Grand Secretary and Grand Representative were also read.

The R. W. Grand Master then announced the following Standing Committees:

On Finance—W. J. Yopp, P. F. Pescud, A. P. Crabtree.

On State of the Order—Seaton Gales, W. H. Clark, H. B. Bryan.

On Suspension—R. F. Green, J. C. Wood, J. H. Smith.

On Petitions—J. W. Beasley, P. W. Morse, C. B. Brothers.

On Returns—W. C. Porter, J. D. Phillips, A. P. Crabtree.

On Correspondence—J. G. Efland, P. P. Clark, C. B. Brothers.

On Lodges not Represented—W. M. Barker, J. W. Beasley, R. F. Green.

On Unfinished Business—W. C. Porter, J. C. Wood, P. F. Pescud.

On By-Laws—J. C. Wood, L. M. Osborne, J. G. Efland.

The Lodge then took a recess until 8½ o'clock, Wednesday morning.

WEDNESDAY MORNING, July 20th.

The Lodge met this morning at the hour appointed.

The time of the morning session was consumed with reports of the various committees, and other important business until 12 o'clock, when a recess was taken until 2 o'clock for the election of officers for the ensuing year.

GOLDSBORO', July 20th, 1870.

The Grand Lodge met at 3 o'clock.

After the reading of Reports and the hour having arrived which had been set apart, the Grand Lodge proceeded to the election of officers for the ensuing year, with the following result:

Seaton Gales, of Raleigh, R. W. Grand Master.

J. G. Efland, of Greensboro', R. W. Deputy Grand Master.

W. J. Yopp, of Wilmington, R. W. Grand Warden.

J. W. Gulick, of Goldsboro', R. W. Grand Secretary.

J. H. Baker, of Tarboro', R. W. Grand Treasurer.

Rev. J. B. Webb, of Kinston, R. W. Grand Chaplain.

W. L. Smith, of Wilmington, R. W. Grand Rep. to Grand Lodge of U. S.

The Grand Lodge then adjourned until Thursday morning at 8½ o'clock.

THURSDAY MORNING, July 21st.

The Grand Lodge met this morning at 8½ o'clock.

Grand Rep. Clark proceeded to exemplify the unwritten work of the order.

The officers elect were then installed, after which the R. W. G. M. made the following appointments:

W. C. Porter, of Greensboro', Grand Marshal.

H. B. Bryan, of Tarboro', Grand Conductor.

P. P. Clark, of Wilson, Grand Guardian.

The Lodge then took a recess until 2½ o'clock this afternoon.

GRAND LODGE I. O. O. F. OF NORTH CAROLINA.—GOLDSBORO', July 21st, 1870.—The Grand Lodge met at 2½ o'clock, as per adjournment.

The R. W. G. M. made his appointments of District Deputy Grand Masters and Installing Officers for the State. For this District R. J. Jones was appointed D. D. G. M., and A. J. Yopp Installing Officer for Cape Fear Lodge.

Raleigh was decided upon as the place of holding the next session of this Grand Body.

The usual vote of thanks was passed, when, by proclamation of the Grand Marshal, the Grand Lodge adjourned to meet in the Hall of Manteo Lodge, Raleigh, at 9 o'clock, a. m., on the 3d Wednesday in July, 1871.

To morrow, Friday morning, the excursion train will leave Goldsboro' at 6 a. m., for Morehead City, where the time will, no doubt, be spent pleasantly until 5 o'clock Saturday evening, a committee having gone down ahead of the train to make arrangements for dancing, fishing, sailing, &c., when the excursionists will return to Goldsboro' and separate for their various homes.

AT WORK AGAIN.—A gentleman, yesterday from Lumberton, states that the Robeson county desperadoes are again at work. On Tuesday night last, a gang of them went to the residence of a Mr. Townsend, about 14 miles from Lumberton, and began an attempt to break into his smokehouse. Mr. Townsend, who was in bed, was aroused by the noise and taking his gun with him, sallied out. He perceived a number of figures around the smoke house and fired into them, but probably without effect. His fire was returned when, being fortunately uninjured, he entered his house and procured another gun with which he again fired at a man who was passing the corner of the house. This time, he thinks that he hit the mark. This last shot was answered by a rapid and continuous firing from the desperadoes, none of which, however, proved effectual, only a spent ball having stricken Mrs. Rowland, of Lumberton, a sister to Mr. Townsend, in the shoulder. The smoke house was afterwards rifled and a large quantity of bacon, meal, &c., carried off.

North Carolina—Kirk's Jay Hawk War.

Holden, the Radical Governor of North Carolina, is one of the most unscrupulous despots and vindictive tyrants that ever disgraced the annals of modern civilization. Having ridden into power on the shoulders of ignorant and semi-barbarous negroes, controlled and manipulated by a gang of corrupt carpet-baggers and scalawags, he is determined to perpetuate that power at all hazards and in defiance of all legal obstacles. His administration has been characterized by so much of fraud and corruption—his open and flagrant violations of the law so bold and bare faced—his repeated robberies of the funds of the State so apparent—his intense malignity and cruel injustice towards the white citizens so savage and diabolical, that even a large portion of those who aided in placing him in power have become disgusted with his infamies, and alarmed at his bold outrages upon the lives, liberty and property of the people.

The better informed and more virtuous of his party, both among the blacks and the whites in all sections of the State, are flocking to the standard of the Democracy and lending their aid to crush out the grinding despotism which for four years Holden and his gang have exercised over the people. These mutterings of discontent in his own party have not escaped his attention. For months past he has been calmly surveying the situation and preparing his plans to checkmate those who seek to destroy his power. Having carefully surveyed the whole field, he reached the conclusion that if the contest were left to the arbitrament of the popular will, under the laws of the State, the verdict of the people would, like the rush of great waters, overwhelm his administration and bury his rotten carcass forever under the just indignation of an outraged constituency. There was no mistaking the indications of the popular breeze. He saw the storm coming, and, like the desperate adventurer who risks his all upon the turn of fortune's wheel, he threw himself in the face of the constitution and laws of the State, invited the East Tennessee bush-whacker and murderer, Kirk, into his councils, and laid before this wily ruffian his plans to carry the State, punish his enemies, intimidate the people, and secure a triumph at the approaching elections.—Augusta *Chronicle and Sentinel.*

Proverbs of the Billings Family.

PRESENTED BY JOSH BILLINGS.

Don't swap with yer relashuns unless ye ken afford to give them the big end of the traid.

Marry young, and if circumstances require it, often.

Don't take yer terbacker box out in kompany.

If you kant git gud cloaths and edikashun too, git the cloaths.

Say how are ye? too everybody.

Kultivate modesty, but mind and keep a gud stock of impidence on hand.

Be charitable. The sent pieces was made on purpose.

Don't take ennybody's advice but your own.

If a man flatters yu, yu kan kalkilate he is a roge, or yure a fule.

Keep both ize open; don't see moren half yu notis.

Don't mortifi the flesh tew much; 'twant the soros on Lazzarus that sent him tew heaven.

If yu ich for fame, inter a graveyard and skratch yourself against a tume stun.

Beggars don't have tu advertise for runawa gogs.

"Tis a long lain that never turns," and 'tis a good mill that alwas dus.

Young man, be more anxus about the pedigree yur going to leave, than yu are about the wun sum body is going to leave yon.

Sin is like weeds, self sworn, and sure tu kum.

Nature is nature, yu kant alter the krook of a dog's tale much, and preserve the length of it.

I wud sa tu all the young men, "go in," and to all the old fellers, "kum out."

About as sure as way was tu git rich as enny I no of, is tu git inter det for a hundred thousand dollars, and then go to work and pa oph the det.

Filosophers tel us that the world revolves on its axes, and Josh Billings tells us that full half the folks on the arth think tha are the axes.

N. B.—these ar proverbs hev stood for mor'n a hundred years, and hain't gin out yet.

A Wild Lion Loose in the Streets.

[From the Burlington (Vt.) Free Press, July 21.]

Two cages containing a pair of African lions, and four Pumas or American lions, the elephant "Victoria," and two camels, passed through here on the cars yesterday A. M., from New York, to join Yankee Robinson's circus at St. John's. The car-doors were thrown open to give air to the elephant and camels, and quite a crowd gathered at the Central depot to have a free look at the show.

The lions could also be seen through the small grates of their cages, they being on a flat car connected to the one occupied by the elephant and camels. The company was not destined to disperse, however, without a little excitement, as the sequel proved. As the keeper of the animals entered the cage of the four American lions to clean out the cage, one of the lions sprang past him and out at the door, lighting on the ground in the midst of the crowd.

This visit was something more than had been bargained for, and it is recorded that the way boot-heels and coat-tails disappeared around lumber piles, &c., was not slow. The highest lumber piles brought a premium, and the lion had things his own way for a few minutes. The lion beat a hasty retreat under the car, and remained there, growling angrily, until compelled to come out by the keeper, who backed up his persuasion with a club. A rope with a noose had been prepared and so arranged that when the lion came from under the car he had to pass through the noose, which was drawn up by parties on the top of the car, and the animal secured and put back into the cage, having injured no one while at liberty. These lions belong to Miss Minnie Wells, and it was by one of them that she was attacked and somewhat injured while exhibiting with them in New York city a few days since. It was fortunate that the beast did not see fit to make an immediate attack on any of those standing around the car, as he was an ugly looking customer, and might have done considerable mischief in a short time.

At a Sunday School in Ripon, a teacher asked a little boy if he new what the expression "sowing tares" meant. "Courth I does," said he, pulling the seat of his little breeches around in front, "I teared it sliding down hill."

Dr. Beecher often related the anecdote of a minister who preached six sermons to show who Melchisedek was, and closed his last sermon with this summary: "And so we see, brethren, that we don't know who Melchisedek was, and that 'tain't no matter."

"Ah-How" and "Ah-My" are two very prominent Chinamen in this country. Their names answer two very grave questions. How is our labor difficulty to be settled? "Ah, How?" Where will it end?" "Ah, My!"

LATEST NEWS BY TELEGRAPH.

[SPECIAL TO THE JOURNAL.]

FROM RALEIGH.

OPINION OF THE CHIEF JUSTICE.

RALEIGH, July 23.

The Chief Justice decides not to grant an attachment against Kirk. He grants a *precept*, which is to be issued to the Governor, commanding that the bodies of the prisoners be brought before him immediately. The *precept* to be served on the Governor by the Marshal of the Supreme Court. If the Governor refuses, the power of the court is at an end.

The law is on the side of the prisoners, but the court has only moral power.

Opinion of Chief Justice Pearson on the Habeas Corpus Case.

RALEIGH, July 23.

Chief Justice Pearson rendered his decision in the *Habeas Corpus* this morning. He decided Kirk's excuse for refusing to answer, that he was obeying the order of his superior officer, the Governor, to be reasonable, but that the writ is not suspended and must be obeyed. He would not issue an order to the Sheriff of Caswell, but to the Marshall of the Supreme Court, with instructions to show it to the Governor, with a copy of the opinion. The order is as follows: "To David A. Wicker, Marshal of Supreme Court, you are hereby commanded in the name of the State of North Carolina, forthwith to bring Adolphus G. Moore, wherever to be found, before me, Richard M. Pearson, Chief Justice of the Supreme Court, in the city of Raleigh. Herein fail not, and have there this writ, and make due return thereon.

Signed, RICHMOND M. PEARSON,
Chief Justice of Supreme Court.

Eighteen other writs were issued to day by the Chief Justice on behalf of the prisoners from Caswell county. There has been no return yet to the order.

THE WAR IN EUROPE.

BERLIN, July 23.

Bourse was excited yesterday over a rumor that Russia had declared war against France, but as yet the report is unconfirmed.

Two hundred French, while on a reconnoisance, were captured. None were killed, but several wounded.

War preparations are still being made.

The entire army is mobilized.

Cannon are being sent to the frontier.

The organ of Bismarck says that Prussia suffered insolence from France sixty years ago, but is less likely to put up with it now.

The details of the Chinese massacre has been fully authenticated. Neither age nor sex were spared.

PARIS, July 22—Midnight.

The report that the Prussian army fell back between Colbertz and Mayence is denied.

The Swiss government forbids the exportation of cereals and horses.

Labouef has left Paris for the front. It is said that the Emperor will leave to-morrow, Saturday.

MADRID, July 23.

Parties failed in their effort to excite the populace against France.

Spain is firm in neutrality.

The Emperor came to Paris to-day, and received the Corps Legislatif at Tuileries.

WORCESTER, July 23.

In the University boat race, the Yale was ahead 18 minutes and 54 seconds, but the victory was awarded to the Harvard, on account of foul, whereby the Harvard lost her rudder.

Brown College won the Freshman race.

BERLIN, July 23.

The North German Consuls were directed to forward all Germans liable to military duty, paying their passage and furnishing necessary articles. Also to forward on the same terms, all volunteers.

Martial law has been proclaimed in the Prussian Rhinish Provinces, and in Hesse, Hanover, Schleswig and Eastern Prussia.

The port of Hamburg is still open.

The Prussian headquarters are within eight miles of Bingen, at Kreatzenach.

There has been many shipwrecks off Germany from the removal of the beacons.

It is generally admitted that the situation of the French army has every advantage. The French have two points of attack.

The Bank of England has advanced the rate of interest to 4 per cent.

From Washington.

WASHINGTON, July 23.

Receipts from Internal Revenue to-day amounted to $876,000.

Secretary Fish has gone to New York.

Akerman goes to Georgia shortly.

The Inman Line of Steamers will carry all the American mails.

There has been no fighting up to the closing hour. No new developments. The faint hopes of peace entertained last evening in diplomatic circles have vanished.

From Missouri.

ST. LOUIS, July 23.

Col. D. H. Buell, commandant of the Arsenal at Fort Leavenworth has been killed. The assassin is unknown.

The thermometer for the past week has averaged 97 to 104.

There has been many sun strokes. The general health of the city is good.

CABLE DISPATCHES.

THE FRANCO-PRUSSIAN WAR.

Foreign Summary.

PARIS, July 23.

Labouf permits correspondents within the lines upon parole that they print nothing untrue.

BERLIN, July 23.

Prince Royal Frederick commands the Prussian left; Prince Frederick Charles the centre; Herr Von Bottenfield the right, and General Von Falkenstein commands the coast defences.

VIENNA, July 23.

It is believed here that the neutrality of Russia and Austria has been agreed upon.

The neutrality of Spain is certain.

LONDON, July 23.

The Bull Run Russell *Times* correspondent has been arrested at Metz journeying toward Prussia.

A French expedition sails from Cherbourg to-day.

General Dayse will lead the advance over the Rhine. Saarbruck will be the centre of operations.

Over a hundred thousand volunteers have been enrolled in Germany.

BERLIN, July 23.

In the North German Parliament last evening, Count Bismarck denied the assertion of De Grammont that Germany had confessed the impossibility of Prince Hohenzollern's candidacy.—He asserted that from the time the Government first knew of the project, nothing personally or official was said to Benedetti about it.

LONDON, July 23.

The Saturday Review thinks the fate of Cuba will be unaffected by the European complications.

Telegraphic dates have been received here from Paris up to noon to-day. No fighting has yet occurred between the Prussian and the French armies.

The news from the seat of war is meagre and unimportant.

The Times criticises Napoleon's recent circular. It says: His idea that the war was urged with the unanimous approval of the people and must be right, is untrue; that the real author of the war is not he who declares it, but he who makes it necessary.

PARIS, July 23.

A number of American ladies yesterday took the first steps toward forming an International Committee to aid the wounded.

There was a great patriotic demonstration at Lyons yesterday. At Strasburg there are prayers every day for the success of the French arms.

The Swiss legation is charged with the protection of Bavarian citizens here. The Dutch Consul will protect the French citizens in Prussia.

Belgium has forbidden the exportation of horses.

ROME, July 23.

The last of the Prelates, who have been here in attendance at the Ecumenical Council, are leaving the city.

The American Institute of New York city, of which Horace Greeley is President, will hold their thirty-ninth fair during the months of September and October next, at the Empire Rink.

Last year there was a large increase in the exports from Berlin to the United States of America, as compared with the year before; the value having been 4,086,073 thlrs. against 2,880,266 thlrs. in 1868.

Colonel C. A. Hartwell, Special Indian Agent, is in North Park, investigating the recent troubles with the Indians in that section.

The Viceroy of Egypt has given 40,000 Turkish pounds to the sufferers by the late conflagration in Constantinople.

Senator Sprague, rumor says, intends trying Chinese labor in his mills in Rhode Island.

An aquarium is to be constructed at the Sydenham Crystal Palace, near London, at an expense of $60,000.

Four letters, each warranted to be the very last one that Dickens wrote, have already been published.

The number of Gentiles in Utah is less than 2,500.

Governor Holden and the State Militia of North Carolina are becoming more outrageous in their wrongs upon the people of that State every day. It is certainly the duty of the President to interfere, under that clause of the constitution guaranteeing a republican form of government to each State.—*N. Y. Herald.*

If a man on earth has any doubt of a hell on earth let him go to North Carolina.—Richmond *Enquirer.*

There are now living in Athens county, Ohio, sixteen couple who have been married over fifty years.

Grasshoppers are sitting on the sweet potato vines in Erie county, Pa. The pests are ruining the farmers' crops.

Another daughter of Lola Montez (?) is now reported to have made her debut as a danseuse in Germany.

Mayor Selby has just filed a petition contesting the legality of the recent election in San Francisco, which carried the proposition to grant $1,000,000 subsidy to the Southern Pacific railroad. He alleges fraud and forgery.

There is a story going the rounds about six survivors of a wreck who lived two months on rare beef on an island in the South Atlantic. It was a bare reef they lived on instead of rare beef.

Hon. Charles A. Shaw, Democratic candidate for Congress, of Biddeford, Maine, at the last election, declines another nomination.

Chief Justice Chase and John C. Breckenridge were guests at the Newhall House, Milwaukie, on the 12th.

A Pottowattomie chief died at Topeka, Kansas, a few days ago who weighed 496 pounds.

Be on Your Guard.

The unexampled success which for twenty years has accompanied the use of Hostetter's Stomach Bitters provokes the envy of ignorant nostrum-venders in all parts of the country, and the counterfeiting business having been measurably played out, in consequence of the numerous suits instituted against the offenders, a new system of tactics has been adopted. In the South and West especially, a legion of "Bitters," prepared from worthless materials, and bearing a variety of names, have been got up by irresponsible adventurers, with the hope of substituting them to some extent for the Standard Tonic of the Age. In some cases country druggists are the concoctors and proprietors of these unscientific and trashy compounds, which are warmly recommended by the vendors, who endeavor to palm them off upon the credulous in lieu of the great specific which has never yet had a successful competitor, either among proprietory preparations or the medicines prescribed in private practice. This notice is intended to put the public on their guard against persuasions of parties engaged in the attempt to substitute mere rubbish for the most efficient stomachic and alterative at present known. At this season of the year, when debility and complaints arising from a lack of vital energy so generally prevail, it is of the greatest consequence that no tricks should be played with depressed and enfeebled systems. Ask, therefore, for Hostetter's Stomach Bitters, the great vegetable invigorant and alterative, and reject, with deserved contempt, the worse than useless medleys offered in its place. It is as important to the public as to the proprietors of the famous restorative, that this advice should be heeded.

CONGRESSIONAL CANVASS.

THIRD DISTRICT.

COL. WADDELL'S APPOINTMENTS.

Col. Alfred M. Waddell, Conservative candidate for Congress in the Third Congressional District, will meet his opponent, Col. Dockery, at

Jonesboro' Moore county,	Thursday,	July 14
Manchester, Cumberland Co.,	Friday,	" 15.
Fayetteville,	Saturday,	" 16.

Col. Waddell will also address the people at the following times and places, and invites Col. Dockery to meet him:

Elizabethtown, Bladen Co.,	Monday,	July 18.
Lumberton, Robeson "	Tuesday,	" 19.
Rockingham, Richmond "	Wednesday,	" 20.
Lilesville, Anson "	Thursday,	" 21.
Wadesboro', Anson "	Friday,	" 22.
Troy, Montgomery "	Monday,	" 25.
Carthage, Moore "	Thursday,	" 28.
Harnett C. H.,	Saturday,	" 30.

Conservative papers in the District please copy.

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SENATORIAL CANVASS,

THIRTEENTH DISTRICT.

MAJOR C. W. McCLAMMY, candidate for the Senate, will address his fellow-citizens at the following times and places:

BRUNSWICK.

Smithville, Wednesday, July 27th.
Town Creek, Thursday, July 28th.
North West, Friday, July 29th.

NEW HANOVER.

Rocky Point, Saturday, July 30th.
Point Caswell, Monday, August 1st.
Lillington, Thursday, August 2d.
Holley, Wednesday, Thursday, August 3d.
Sandy Run, Thursday, August 4th.

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